3

"You're Nobody's Mommy"

Overlapping Genres

Intermingling Conventions

In the previous two chapters, we have explored the relationship between cinema and serial television in terms of specific intertextual moments. Whether they are explicit (as in homage) or implicit (as in evocation), particular visual matches have served as our points of entry. With homage, such intermedial transactions are more linear, and they appear to be self-conscious reincarnations of distinguished films. Evocations are less direct and more uncertain in terms of intentionality. Still, evocative operations also call up precise cinematic moments, prompting us to scrutinize how thoroughly television has absorbed cinema. This chapter turns to a slightly different set of concerns by considering intertextual relations in the context of genre. Some might snub such a consideration right off the bat. Genre is generally allied with formulas and boundaries, whereas intertextuality hopes to break free of categories and classifications. That is probably why, though there is a long tradition of genre studies, few scholars have put genre in dialogue with intertextuality. We will examine some of this history in the next section, but I first want to turn to a brief example of how genres work in serial dramas, using *Better Call Saul* (AMC, 2015–present), a crime drama about the trials of a less-than-upstanding Albuquerque lawyer, Jimmy McGill (Bob Odenkirk).

We're introduced to Jimmy McGill in *Breaking Bad*, as an ethically challenged lawyer who goes by the pseudonym, Saul Goodman. *Better Call Saul*, its prequel, presents Jimmy's backstory, recounting how he becomes Saul in order to emerge from his older brother Chuck's (Michael McKean) shadow. Chuck is a highly successful partner at the law firm of Hamlin, Hamlin, and McGill (HHM); he despises his younger brother for skirting moral and legal boundaries and often getting away with it. After Jimmy becomes a lawyer too, Chuck makes sure that he isn't able to "slide into [HHM] and reap all the rewards." For the older brother, "the law is sacred." He resents Jimmy's online

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law degree, which he equates with "a chimp with a machine gun." Chuck's derision pushes Jimmy away from what might have been a respectable legal career. He falls in with the Mexican drug cartel, serving as their legal representative but also as their bagman or money launderer.

Working for the cartel has been inherently dangerous, but in the fifth season finale, Jimmy and his wife Kim Wexler (Rhea Seehorn) land in deep trouble. Jimmy represents Lalo Salamanca (Tony Dalton), who runs the Salamanca family's drug operations, in a murder case. The judge sets Lalo's bail at $7 million, and Jimmy volunteers to pick up the money from a remote site close to the Mexico border. On his way back, he is ambushed by gunmen but survives, rescued by his hitman associate, Mike Ehrmantraut (Jonathan Banks). However, riddled with bullets, his car breaks down, and Jimmy takes a long time returning with the bail money. That is why Lalo suspects that Jimmy is double-crossing him. When he threatens to kill Jimmy and Kim at their apartment, she is able to talk her way out of the quandary, playing the part of the good wife defending her decent husband. Lalo walks away, but they are both terrified and check into a luxury hotel, feeling more secure with having people around. While they are hiding out, Mike confirms that Lalo has returned to Mexico. Instead of going back home right away, Jimmy and Kim order room service—and project their desire for revenge onto their former boss, Howard Hamlin (Patrick Fabian). Howard is the skilled and affluent managing partner at HHM. They resent him because they find his easy prestige insufferable. He represents the legal establishment; he is someone who comfortably waltzes through the profession, whereas they remain outsiders who are compelled to use devious means to find and hold on to their cases. Jimmy also blames Howard for the suicide of his brother Chuck, who is not supported by his firm after he develops electromagnetic sensitivity. For all of these offenses, Jimmy has already trashed Howard's car with bowling balls and embarrassed him by sending prostitutes over during a business lunch. While enjoying a room-service meal of gourmet burgers, he and Kim imagine further retribution. They start small, concocting schemes for shaving him bald or pouring too much bleach in his pool. But under the sheets, Kim proposes something much bigger, like framing Howard for "misappropriating funds" or "bribing witnesses." She justifies her thinking by arguing that that would oblige HHM to settle one of their biggest class action lawsuits, making Jimmy approximately $2 million, which Kim would use to start a pro bono practice to "give regular people the kind of representation usually only millionaires get." Jimmy is skeptical that she would go through with a ploy

to destroy a man's career, but Kim is determined. As she walks to the bathroom to take a shower, she turns around, pretends to fire off two guns with her fingers, and then blows away the imaginary puffs of smoke ("Something Unforgivable," 5.10). Jimmy stares at her in disbelief. Kim has been willing to bend the rules before, particularly if it might help an innocent client, but now she is ready to commit a felony. Though all along she has served as his conscience, she is now breaking bad. Kim's gun-toting gesture echoes Jimmy's own signature move, as he repeatedly raises both index fingers in the shape of make-believe guns.[1] However, there is something whimsical about Jimmy-as-Saul's guns—as phony as he himself is, and he knows it. Besides, are Jimmy and Saul ever that far apart? Kim's gesture, on the other hand, is more serious. She looks as though she has just been transformed from Jimmy's love interest into his femme fatale.

Perhaps not surprisingly, the exchange between Kim and Jimmy in the hotel room recalls the scene in a sleazy motel room, where Annie Laurie Starr (Peggy Cummins) convinces Bart Tare (John Dall) to join her on a crime spree in Joseph H. Lewis's *Gun Crazy* (1950). Laurie and Bart meet at a carnival where she is a sharpshooter; they bond over their excessive love of guns and marksmanship. He proposes right away, and after an extended honeymoon, they find themselves out of money and down on their luck in a grubby motel. While he cleans his English pistols and imagines returning to his $40 a week job, Laurie expresses her desire to "do a little living." She threatens to leave him if he cannot become "a guy with spirits and guts, . . . a guy who can kick over the traces and win the world for [her]." Bart is flabbergasted by her aspirations, but he kisses her and stays, committing himself to a life of criminality. They hold up gas stations, stores, and banks and become fugitives from the law. Bart and Laurie eschew traditional domesticity and become the classic outlaw couple, doomed and hurtling toward disaster. As of this writing, it is unclear if Jimmy and Kim will end up that way. But her air guns imply that they may be read as the outlaw couple, a legal duo on the lam from the law. Though their hotel room is much fancier than Bart and Laurie's, low-key lighting creates a chiaroscuro effect throughout the episode, leaving their faces in shadows that are quite reminiscent of films noirs. This isn't the first time *Better Call Saul* invokes this genre. Jimmy and Kim establish their noir bona fides very early in the series when the two of them stand in a Hopperesque parking lot, smoking, after he leaves HHM. He pulls a bunch of boxes on a dolly, and she is waiting there in the dark. They talk about an embezzlement case and whether it is possible to find a loophole and

get an acquittal. Light streams in from inside the building, illuminating Kim partially. Jimmy joins her ("Bingo," 1.7). This shot could easily have come from Howard Hawks's *The Big Sleep* (1946) or Lawrence Kasdan's *Body Heat* (1981). *Better Call Saul* draws on this familiar iconography in order to set Jimmy and Kim up as potential partners in crime.

Jimmy's misdemeanors are often scored and shot with noir touches as well. While his law license is still suspended, he interviews with Mr. Neff (Andrew Friedman) for a job selling copy machines. Though he gets the job, he turns it down, because he has an eye on a Hummel figurine in that office. When he discovers online that it might be worth over $8,000, he hires Ira (Franc Ross) to swap it with a fake one to make easy cash. But during a late-night heist, Ira gets stuck in the office, as Mr. Neff has been sleeping there because of a spat with his wife. Ira hides under a desk, watching Mr. Neff arguing with his wife, drinking scotch, ordering pizza, and listening to a self-help CD, and he calls Jimmy for help. The scene is shaded with noir flourishes, with low-key lighting making shadows, venetian blinds indicating a sense of entrapment, and bells ringing out portentously. Jimmy gets Ira out by setting Mr. Neff's car alarm off ("Something Beautiful," 4.3). The heist is successful, and it shows how adept Jimmy has become at the small scam. Though it is a trivial theft, the noir aesthetic establishes him as a nihilistic anti-hero existing in an amoral universe. Neff's name right away reminds us of Walter Neff (Fred MacMurray), an insurance salesman who falls for Phyllis Dietrichson (Barbara Stanwyck), a married woman who cajoles him into killing her husband in order to collect on his accidental death claim in Billy Wilder's *Double Indemnity* (1944). But in *Better Call Saul*, Jimmy pulls off a con on Neff, indicating that he may be even shrewder than a typical noir hero. But the series is not exactly revisiting TV noir. Such moments infiltrate the mise-en-scène of what is otherwise a crime drama about a criminal lawyer.

Noir is not the only genre that seeps in, however. As has already been intimated, much of Jimmy's criminal activity occurs in conjunction with the drug cartels, moving the action outside the city of Albuquerque and aligning it with the Western. The episode mentioned in the previous paragraph actually begins in the desert, where Victor (Jeremiah Bitsui) and Tyrus (Ray Campbell) lay down a spike strip to drive Arturo's (Vincent Fuentes) car over, with his dead body in it, in order to make it look like an ambush in which Nacho (Michael Mando) is severely injured. Nacho is shot twice, and those shots ring out in the open West. Visually, it is a standard Western scene; the shots are wide, and there is almost no dialogue for six minutes. The arid

landscape provides the space for rival cartel members to assert control over the land, even as they look minuscule against the panoramic backdrop. In addition to drawing on such broad generic tropes, like its predecessor *Breaking Bad*, *Better Call Saul* calls up specific Westerns. Early on, Jimmy hires two guys for a hit-and-run scam, but they inadvertently run it on an elderly lady who happens to be Tuco Salamanca's (Raymond Cruz) grandmother. When Jimmy shows up to scare the driver, he is unaware that he is busting in on a drug kingpin who is irate about someone "punking [his] abuelita." In a panic, one of the guys gives Jimmy up, and Tuco aims his gun at the defenseless lawyer. The scene cuts to black, and the next shot has Jimmy, hands tied behind his back and duct tape over his mouth, falling on his right side, while the desert stretches behind him in the distance. This shot recalls a moment from Harmonica's (Charles Bronson) flashback in Sergio Leone's *Once upon a Time in the West* (1968). Harmonica remembers how the ruthless mercenary, Frank (Henry Fonda), kills his older brother by putting his head in a noose and hanging it from an arch while balancing his body on young Harmonica's (Dino Mele) shoulders. Frank shoves a harmonica in the weeping younger brother's mouth. After cursing out Frank, the older brother kicks his younger brother away, and young Harmonica falls to the ground on his right side. This shot is shallower than the one in *Better Call Saul*, though the similarities are unmissable. The series appears to invoke this moment thematically as well. Jimmy too carries the weight of his older brother Chuck on his shoulders. His schemes, like the hit-and-run, arise out of a need to get out from under Chuck's shadow, even though he never fully can. The irony here is that Jimmy is almost the opposite of Harmonica. Jimmy talks too much and talks himself out of most jams, whereas Harmonica is stoically silent, waiting patiently to exact revenge. The generic connection is called up and undermined. For the ways of the old gunslinger, and his seriousness of purpose, seem completely out of place in this series.[2]

If Jimmy resembles Harmonica, albeit ironically, then Chuck brings to mind Tom Doniphon (John Wayne) from John Ford's *The Man who Shot Liberty Valance* (1962). When challenged by the outlaw Liberty Valance (Lee Marvin), Ransom Stoddard (James Stewart), a believer in lawful conduct, shoots and ostensibly kills Valance. He wins approval from the town, rising to become a governor, then senator, and a possible vice-presidential candidate. But it is his friend Tom Doniphon who has shot Valance from an alley across the street. When Stoddard is hailed as a hero and earns the love of Hallie (Vera Miles), Doniphon returns to his homestead, and in a state

of drunken indignation, sets fire to it by tossing in a burning lantern. After he is ushered unceremoniously out of the law firm that he co-founded, and after he rebuffs Jimmy's efforts to make amends, Chuck finds himself alone in his home, relapsing on his irrational hypersensitivity to electromagnetic energy. After tearing down his house to find the single source that keeps his electricity meter running, he kicks his desk again and again, tipping over a lantern and setting his house ablaze ("Lantern," 3.10). Chuck's resentment is similar to Doniphon's; he believes he does not get the glory he deserves. But Doniphon is rescued, and though he dies in anonymity, the film mourns the passing of the old frontier through him. *Better Call Saul* does not exalt Chuck in his death. Nor does it create a revisionist universe that might critique the genre's white heteropatriarchal norms.

That may be because *Better Call Saul* is not really a Western, at least not in the vein of a traditional Western like *Deadwood* (HBO, 2004–06), which explores the formation of an American town in the newly annexed Dakota Territory in the 1870s. Nor does it weave neo-noir conventions consistently, in the way *Dexter* (Showtime, 2006–13) does throughout its narrative about a serial killer in pursuit of murderers who have not been penalized by the justice system. Rather, *Better Call Saul* overlays both generic conventions over what remains a drama about a con man who turns into an ethically compromised lawyer. But the darkly comedic tone of the series undermines some of the gravity of a typical crime drama too. What do these appropriations suggest about how genres move from cinema to television? Their intermingling does not always seem logical, as though improvised the way Jimmy himself cobbles together his persona. How can such generic combinations help us understand the intertextual relationship between cinema and serial drama? Given how steeped it is in conventions, can genre even be thought of as an intertextual modality?

On Genre

During her country walk with Henry and Eleanor Tilney, Catherine Morland, Jane Austen's naïve heroine, confesses that she prefers Gothic novels like Ann Radcliffe's *The Mysteries of Udolpho* (1794) to noble histories. She is embarrassed by her inclinations, she says, because Henry might think " 'they are not clever enough for [him]—gentlemen read better books.' "[3] Though Henry reassures her that he is also a fan of fiction, what Morland voices is a popular

critique of the novel as a trifling genre. William Wordsworth, for instance, attacked it in his Preface to *Lyrical Ballads*, lamenting that Shakespeare and Milton "are driven into neglect by frantic novels, sickly and stupid German Tragedies," which display nothing more than a "degrading thirst for outrageous stimulation."[4] Indeed, Wordsworth's argument against the Gothic novel was part of a broader Romantic suspicion of genre itself. Romantics by and large regarded genres as neo-classical constraints that had to be overcome. Their insistence on originality and self-expression seemed antithetical to such antediluvian taxonomies. Friedrich Schlegel denounced all classificatory systems, which he saw as "mere dead pedantry designed for people with limited vision."[5] For Schlegel, the former "ways of conceiving a poetical world are still as primitive and childish as the old pre-Copernican ideas of astronomy."[6] By aligning neo-classical genre theory with the Ptolemaic system, Schlegel helped define Romanticism as a revolt against standardization and conformity.

Of course, neo-classicists didn't invent generic classifications, as Aristotle's shadow looms large over any discussion of genre. Classical genre theory was revived in the Renaissance, after the somewhat muted conversation about genre in the Middle Ages. But Elizabethan and Jacobean dramatists were adept at crossing genre boundaries, an idea echoed in Polonius's lineup of all that the traveling actors can play, including "tragedy, comedy, history, pastoral, pastoral-comical, historical-pastoral, tragical-historical, tragical-comical-historical-pastoral."[7] Though these mixings are meant to be preposterous, they demonstrated that genre was never conceived as a singular formula. Neo-classicism took genre as a concept more seriously, but generic border-crossing remained inevitable, even when genres were supposed to be stable entities. Henry Fielding, for instance, called his novel *Joseph Andrews* (1742) a "comic epic poem in prose."[8] Still, the Romantics deemed their immediate predecessors guilty of exalting classical norms, and what they mounted was the first organized critical attack on genre. That is why I begin at this historical juncture, which deeply informs our contemporary understanding of genre. What follows is a longish chronicle of the evolution of genre theory and its tangled relationship with intertextuality. For though Romanticism is considered by some as the movement that "brought about a virtual extinction of all the traditional genres," such pronouncements are more than a little hyperbolic.[9] Genre's influence as an analytical framework has persisted, and it is not as divorced from intertextuality as followers of Romanticism's theoretical binaries might imagine.

Instead of a virtual extinction of genre, what Romanticism really prompted was a critical reevaluation of genre theory. Like many Romantics, Victor Hugo discounted Aristotelian poetics as "the arbitrary distinction between the species of poetry," which "vanishes before common sense and taste."[10] He seemed eager to tear down the entire structure of generic classifications, "so worm-eaten was that timber of the old scholastic hovel!"[11] Instead of doing away with genre altogether, however, Hugo created a *mélange des genres* in his drama, where classical and popular genres mix to form new combinations. This kind of scholarship prompted not the death but the opening of genre theory to newer combinations. Influenced by Kantian aesthetics, another area of investigation known as philosophical genre theory was inaugurated, reflecting on the modal triad of the lyric, epic, and dramatic. Critics like Friedrich Schelling adopted this triad, offering a generic system to think about the distinctions and overlaps among these three modes.[12] Finally, critics begin historicizing genre theory. G. W. F. Hegel showed how genres emerged out of particular cultural moments and how they changed over time. His discussion of the epic giving way to the novel in the modern era exemplifies this historical argument.[13] On a similar note, grounded in Darwinian theory, Ferdinand Brunetière explained the establishment, growth, and decline of literary genres by comparing them to the evolution of species.[14] The nineteenth century may have begun by denouncing old paradigms altogether, but the critical work that followed brought history to bear on genre theory. In fact, it might be argued that the nineteenth century is characterized by an oscillation between adherence to and rejection of generic rules.

The twentieth century has seen similar oscillations; however, what we also see is a desire to undermine polarizing views about genre. Benedetto Croce appeared as a vigorous detractor, calling the scientific abstraction of genre theory "the superstition of a rationalistic measure of the beautiful."[15] He inaugurated contemporary resistance to genre by invoking Romanticism's conception of art as self-expression, but he went further by creating a philosophical framework to distinguish between intuitive and logical knowledge. Since he placed genre within the latter category, Croce argued that genre theory would be incompatible with aesthetics. Maurice Blanchot also rejected the strict reliance on genres as organizing principles in literature. "A book no longer belongs to a genre," he pointed out, as "every book belongs to literature alone."[16] Blanchot was not just a detractor, however. On one hand, he observed that modern literature has blown up traditional generic boundaries, making them appear futile. On the other hand, he argued that we do

not get to simply transcend genre altogether. Even texts that do not follow the rules remind us of those rules. Anticipating a poststructuralist position, Blanchot noted, "we could never recognize the rule except by the exception that abolishes it."[17] That is to say, departure from individual genres by individual texts does not imply a collapse of genre theory itself. What Blanchot's argument demonstrates is that, even to its opponents, genre can no longer be dismissed for its taxonomic inflexibility.

For its proponents too, genre loses much of its prescriptive authority and becomes primarily an analytical tool. Russian Formalists, for instance, sought to redefine genre theory for the formal analysis of literary texts. Organic Russian Formalists in particular analogized between literature and biology, suggesting that texts are like organisms that share features with other organisms in their species. Among the most renowned explications of this kind of work appeared in Vladimir Propp's *Morphology of the Folktale* (1928), which identifies structural elements or functions that appear across varied Russian folk tales.[18] His classifications analyzed the range of possible combinations of a finite number of elements, while also tracing the metamorphosis of those elements. Northrop Frye, who also worked in the structuralist mode, saw synchronic and diachronic relations among texts. For Frye, genre criticism was "not so much to classify as to clarify such traditions and affinities, thereby bringing out a large number of literary relationships that would not be noticed as long as there were no context established for them."[19] Frye opposed New Criticism's emphasis on self-contained texts, assuming instead a long tradition that influences all literary texts. Tzvetan Todorov critiqued Frye's approach for emphasizing generic archetypes, arguing instead that to study genre is to study the discourse of genre. Rather than being transcendental categories, genres are ideological. Todorov noted that "like any other institution, [they] reveal the constitutive traits of the society to which they belong."[20] "It is not chance," he argued, "that the epic is possible during one era, the novel during another (the individual hero of the latter being opposed to the collective hero of the former): each of these choices depends upon the ideological framework in which it operates."[21] Because genres grow out of and represent cultural ideologies, they cannot be seen as transhistorical. Instead of a theoretical category, genre was reformulated as a historical category. Adopting a reader response approach, Adena Rosmarin went beyond historicizing genres. Genre, Rosmarin pointed out, is a function of reading; it is not embedded in the text. She called it "the critic's heuristic tool," used to analyze repetition and difference.[22] Rosmarin reconceived of genre "as

pragmatic rather than natural, as defined rather than found, and as used rather than described."[23] Genres do not exist a priori. They are seen as an argument made by a critic about a text. As even this broad-strokes history of the concept shows, genre is no longer treated as a set of dogmatic rules—if it ever was. Thomas O. Beebee calls genre "a precondition for the creation and reading of texts."[24] He sums up its critical evolution based on "the great debate about the location of textual meaning: in authorial intention, in the work's historical or literary context, in the text itself, or in the reader."[25] No matter how it is theorized, however, there is no doubt that genre enables us to think about a text via its relationship with other texts.

Why, then, does genre have such a vexed relationship with (early) post-structuralism? Julia Kristeva defines intertextuality in part by distinguishing it from the concept of genre. She believes that every genre is limited by "its own particular structural finitude."[26] Therefore, she wants "to replace the former, rhetorical division of genres with *a typology of texts*; that is, to define the specificity of textual arrangements by placing them within the general text (culture) of which they are part and which is in turn, part of them."[27] Drawing upon and revising Mikhail Bakhtin's formulation of polyphonic texts, Kristeva proposes "Menippean discourse" as an alternative to genre criticism. The Menippean "is both comic and tragic, or rather, it is serious in the same sense as is the carnivalesque. . . . It frees speech from historical constraints, and this entails a thorough boldness in philosophical and imaginative inventiveness."[28] Moreover, it is "an all-inclusive genre, put together as a pavement of citations."[29] This indicates that the move beyond genre is yet another genre. For even while claiming to replace genre, Kristeva is still immersed in its terminology. What she is proposing sounds more like attention to generic mixing. The Menippean is an alternative to genre, we might say, only if we define genre very narrowly.

That is exactly what Roland Barthes does when he argues that "the intertext does not recognize any division of genre."[30] Intertextuality, he suggests, shows "*the traversal* (traversée) *of writing*: it is the text *as it crosses and is crossed*" and not merely a series of "'influences,' 'sources' and 'origins' before which a work or an author is summoned."[31] Though he ostensibly sets up intertextuality in opposition to genre, as Patrizia Lombardo suggests, "One of Barthes's fundamental ideas, an idea which led to the meditations in *Writing Degree Zero*, maintains that modern writing succeeds in fusing the poetic or novelistic genre with the critical."[32] Like Kristeva, Barthes is not anti-genre per se. Rather, he tries to move beyond a static notion of

genre. Jacques Derrida mounts a similar opposition, arguing that "as soon as genre announces itself, one must respect a norm, one must not cross a line of demarcation, one must not risk impurity, anomaly or monstrosity."[33] Genre establishes a limit, which, the law of genre proclaims, ought to not be transgressed. If this sounds familiar, it is because Derrida is returning here to a more traditional critique of genre criticism. As David Duff points out, "Derrida could hardly be described as an apologist for Romanticism, but his dialectical *exposé* of the flawed logic of genre theory is, at one level, a post-structuralist restaging of a traditional Romantic resistance to genre."[34] But Derrida does not stop there, as one might imagine. His deconstructionist desire presents genre as intransgressible only to show how it cannot but be transgressed. Since genre places texts into categories but isn't itself a category, it undermines its own function. Derrida's conclusion is that the law of genre "is the law of overflowing, of *excess*, the law of participation without membership."[35] In other words, genres always mix, thereby bringing about their own undoing.

Responding to this notion of mixing or overflow, many contemporary scholars have theorized genre in terms of hybridity. As a concept, hybridity has roots in biology as well as in postcolonial studies. Historically, the word "hybrid" has been used derogatorily—as "mongrel" or "half-breed"—to connote the result of mixing two species. In Ben Jonson's *The New Inn*, for instance, Lady Frampul is called "an old Welsh herald's / widow: / She's a wild Irish born, sir, and a hybrid."[36] She is disguised as a nurse caring for a young boy named Frank, who is actually her daughter Laetitia. Luckily for Frampul, she can give up her disguise and return to the aristocracy by the end, proving the undesirability of hybridity. With the rise of colonialism, antipathy toward hybridity really picked up in the eighteenth and nineteenth centuries. It is noteworthy that Charles Darwin used hybridity positively to discuss the cross-pollination of plants and the cross-breeding of animals. At first, he suggested that "hybridization" can lead to sterility, but over time he changed his mind, concluding that "crossing, with the aid of rigorous selection during several generations, has been a potent means in modifying old races, and in forming new ones."[37] Far from a problem, Darwin came to believe that hybridity is part of evolution. While Darwin was redefining the term in biology, however, colonialist discourse stoked fears about hybridity resulting in miscegenation and the dilution of the European race. As Homi K. Bhabha later notes, hybridity raises colonial anxiety by showing that racial purity is a myth. Arguing against "primordial polarities," Bhabha suggests

that even during colonization, there are in-between spaces or identities, and "this interstitial passage between fixed identifications opens up the possibility of a cultural hybridity that entertains difference without an assumed or imposed hierarchy."[38] Thus, hybridity cannot be seen as a dialectical resolution of colonialist discourse. By deconstructing its rigid hierarchies, hybridity "reverses the effects of colonialist disavowal, so that other 'denied' knowledges enter upon the dominant discourse and estrange the basis of its authority—its rules of recognition."[39] In other words, hybridity is linked with transgression. And that is exactly how it has been employed by cultural critics to talk about mixing or amalgamation beyond the colonial or postcolonial contexts. As Monika Fludernik points out, "From its moorings in sexual cross-fertilization, racial intermixture and intermarriage, [hybridity] has now drifted free to connote (rather than denote) a variety of interstitial and antagonistic set-ups" and is "reinscribed as a subversive multiplicity."[40] It is this subversive potential that Derrida points to when he argues that the law of genre is the law of contamination. This impurity of genres has become relatively widely accepted in the last few decades. By moving beyond pure taxonomies, hybridity has enabled scholars to define genre as an amalgamation or mixture of categories that were supposed to (but never did) remain distinct.

If we take a brief look at the history of genre criticism in film and media studies, we can trace this shift in approaches clearly. Genres have been used in film criticism for almost as long as they have been used for marketing popular cinema. In fact, this section might appear somewhat unoriginal. In contrast to what we observed with homage in the first chapter and evocation in the second, genre has been thoroughly worked over by media scholars, and it may look like genre criticism has become as standardized as the concept of genre itself. Recall André Bazin's Platonic praise of John Ford's films for striking "the ideal balance between social myth, historical reconstruction, psychological truth, and the traditional theme of the western *mise en scène*" or Robert Warshow's sociological appreciation of the Western's "serious orientation to the problem of violence such as can be found almost nowhere else in our culture."[41] While these individual critical expressions exist, genre criticism as a methodology really "gr[ows] out of the growing dissatisfaction with *auteur* analysis of Hollywood product" in the 1960s and early 1970s.[42] If the auteur theory elevates some Hollywood films based on the status of their directors, then the dissatisfaction with it leads critics to turn to "genre analysis, which looks for repetitions and

variations between films rather than originality or individuality."[43] In this phase, genre criticism is focused on defining and distinguishing between genres. Some theorists, like Tom Ryall, focus on genres in terms of "patterns/forms/styles/structures which transcend individual films, and which supervise both their construction by their film maker, and their reading by an audience," while others, like John Cawelti and Thomas Schatz, analyze the evolutionary structures of particular genres.[44]

This conception of genres as fairly constant and predictable entities begins to change in the 1990s. Following a poststructuralist approach, Rick Altman offers the broadest takedown of genre purity. He opposes the tendency to treat genres "as if they spring full-blown from the head of Zeus."[45] Instead, Altman argues for generic hybridity and instability—that is, for seeing how "some films simultaneously exhibit the characteristics of more than a single genre" and how "some films might have changed colours over the years."[46] Janet Staiger makes a similar claim in order to discredit the oft-repeated notion that generic hybridity emerges in New Hollywood. "Hollywood films have never been 'pure,' " Staiger points out, arguing that claims of generic purity in classical Hollywood are nothing more than "sincere attempts to find order among variety."[47] Interestingly, Mimi White anticipates this position a decade earlier, when she argues that "the generically 'pure' text is a threshold of ideality, but stands as a norm and principle of coherence."[48] She is specifically addressing how generic purity is undermined in popular television, with *Hill Street Blues* (NBC, 1981–86) being one of the many examples where "the multiple generic influences or grids do not assume a fixed hierarchy or pattern, but contribute equally, if variably, to the show as a whole."[49] If *Hill Street Blues* already engages in genre mixing, then we cannot assume that generic hybridity is unique to contemporary serial dramas. White's transhistorical claim about hybridity in television parallels Staiger's work on cinema. Jason Mittell offers the most wide-ranging cultural study of genre in television, claiming that genres are not "natural" categories that can pre-exist texts. Rather, "genres exist through the creation, circulation, and consumption of texts within cultural contexts."[50] If genres don't exist naturally, then their ostensibly fixed boundaries can't either. Like White, Mittell takes issue with the argument that genre mixing is a recent phenomenon or "that generic mixing places firm boundaries in crisis."[51] His methodology reveals that, unlike biological categories, "generic boundaries are permeable, fluid, historically contingent, and subject to change."[52] And

mixing genres "becomes a site of *heightened* genre discourse."[53] As this overview shows, though genres may have never been pure in film and television, a vigorous investigation of generic fusions has picked up speed in the last few decades.

But what exactly does generic hybridity mean? And how does it relate to intertextuality? Though many scholars gesture toward hybridity, I believe that more work needs to be done to fully unpack its critical possibilities. Generic hybridity is often assumed to be a matter of amalgamation or summation of two existing genres. Thomas Kent creates an almost Aristotelian schema for thinking about how hybrid genres come into being. "Although a hybrid genre combines the formulated conventions of two or more pure genres," he argues, "a particular text in a hybrid genre will employ one dominant pure genre as a kind of base on which other formulated conventions are constructed."[54] This is hardly a way out of the critique of conventional genre theory being too formulaic. On the opposite end of this theoretical spectrum, Ihab Hassan asks us to think of hybridization as the " 'de-definition,' deformation, of cultural genres," which he connects with Bakhtin's notion of carnivalization and its unruly promotion of "indeterminacy, fragmentation, decanonization, selflessness, irony."[55] Ira Jaffe builds on this looser interpretation in his exploration of popular hybrid cinema. "Exactly how the diverse generic and stylistic pieces fit together," Jaffe contends, "isn't always easily explained."[56] But he goes on to suggest that such films appear inherently "irrational and destructive, hostile to order and structure, hostage to Dada and Surrealism."[57] To propose that generic hybridity is impossible to characterize, however, is as ineffective as suggesting that hybridity is a mere matter of addition. What we need is a new way of thinking about such amplification, one that allows us to transform it into an investigative methodology. In the case of genre, the question is not what hybridity is but how hybridity works.

In order to find a new way of working with genre, I would like to turn to Wai Chee Dimock, whose work offers the most thorough rethinking of genre theory. Dimock begins with the prevailing premise that genre ought to be regarded "less as a law, a rigid taxonomic landscape, and more as a self-obsoleting system, a provisional set that will always be bent and pulled and stretched by its many subsets."[58] She then pushes this predictable poststructuralist position much further, using diverse analogies to demonstrate how this generic bending and pulling and stretching actually works. At one point, Dimock proposes that genres are like the rough-hewn and infinitely

complex shapes of fractal geometry. Unlike the smooth shapes of Euclidian geometry, like circles and squares, fractals are the irregular forms of clouds or hurricanes or balls of twine, and they pay attention to "what loops around, what breaks off, what is jagged."[59] At another point, she claims that genres are similar to computer operating platforms. When seen as virtual, genres "too can be layered on one another, flipped back and forth, maximized or minimized, with chance associations 'forming and falling apart every microsecond.' "[60] Rather than a linear system with a clear point of origin, Dimock sees genre as a process, "an alluvial process, sedimentary as well as migratory."[61] With that, she points us in the direction of seeing generic hybridity as overlap rather than amalgamation. The latter looks like simple mathematics, where two distinct entities A and B are added together to form C. Overlap, on the other hand, shows how hybrid genres are interlinked or interwoven—and intertextual. Overlap is palimpsestic as well as generative. Overlap is about seeing how genres function not only next to but also on top of each other. If traditional genre analysis has focused on how individual genre texts work with generic conventions—how a Western represents the conflict between individualism and communal responsibility, for example—then intertextual genre analysis demonstrates how serial dramas exist at the intersection of multiple generic practices.

In what follows, I will disentangle the generic overlaps in *Damages*, a series that is widely regarded as a legal drama. Set in and around New York City, the show tracks the shifting power dynamic between brilliant, high-stakes lawyer Patty Hewes (Glenn Close) and her protégée Ellen Parsons (Rose Bryne). One strand of the series features season-long legal cases from multiple perspectives, but the series never becomes a true procedural. The focus remains squarely on the struggle over how legality and justice are defined. That is because it draws on non-linear storytelling, appropriated from the puzzle film, to move back and forth in time. By using non-linearity, it critiques the functioning of time as well as of the law. Yet another strand teases out the complex relationship between Patty and Ellen. Patty serves as a mentor and maternal figure to Ellen, who learns from and then distances herself from Patty over time; for Patty is a ruthless manipulator, and Ellen does not know if that's who she wants to be. To develop this conflicted affiliation, the series relies on motifs from the maternal melodrama. Analyzing how the legal, the temporal, and the maternal intermingle will demonstrate how generic hybridity works in

contemporary television. It will also facilitate a new way of seeing the kinship between genre and intertextuality.

"Come after Me Where It Counts"

In the last season of *Damages*, Ellen Parsons finally faces off against Patty Hewes in a courtroom. Though Ellen starts off as Patty's mentee, their antagonistic relationship has been heading to this moment all along. Patty files a wrongful death suit against Channing McClaren (Ryan Phillippe), Ellen's only client, holding him accountable for the murder of Naomi Walling (Jenna Elfman). Naomi uses McClaren's website, where whistleblowers post information anonymously, to expose illegal activity at her financial investment firm. In addition to her covert financial leaks, however, the website somehow publishes private information about Naomi's sexual affairs. Shortly thereafter, Naomi is murdered in her home, and Patty sues McClaren on behalf of her daughter Rachel Walling (Alexandra Socha). In a sense, Patty has engineered this legal confrontation, by getting McClaren to hire Ellen as his attorney. Her ostensible motivation for this setup is to prevent Ellen from testifying against her in a custody case involving her son Michael's (Zachary Booth) daughter Catherine (Kiley Liddell), whom Patty is raising. In that case, Ellen is the only witness, and her testimony is supposed to demonstrate Patty's lack of fitness as a grandmother. But when asked about her mentor's character, Ellen hesitates. That is when Patty intervenes, revealing that Ellen can't be allowed to testify while she is preparing a case against her ("You Want to End This Once and for All?," 5.1). Beyond a postponement of that custody case, Patty gets what she truly wants: a head-to-head matchup with her protégée in the McClaren case. As she puts it, rather than "get up on the stand and trumpet [her] secrets to the world," Ellen can "come after [her] where it counts." Ellen agrees, and the series moves toward the long-awaited showdown between the two women.

On the first day of the McClaren face-off, Patty and Ellen place their briefcases on their desks simultaneously, as a two-shot presents them as equal adversaries. Though the opening is dramatic, however, not much happens. Cut to a medium shot of the two attorneys standing head to head to address Judge Timothy Harring (Sam Coppola), and we notice that there is nobody in the courtroom except for a guard standing by the door. Though we are finally at the moment of the legal showdown, this isn't some kind of trial of the

century. Ellen asks the judge to dismiss the case, because there is no evidence about McClaren's involvement in Naomi's murder, but Patty succeeds in getting a week to demonstrate a connection as well as in seizing McClaren's passport for that duration. In under two minutes, their first courtroom confrontation ends ("Have You Met the Eel Yet?," 5.2). Before they meet again, Ellen suspects that Judge Harring favors Patty and blackmails him into recusing himself from the case. When they appear in court again, this time in front of Judge Richard Gearheart (Michael Kostoff), their altercation is equally brief. Judge Gearheart allows Patty to move ahead with discovery; once again, any expectations of a showdown are thwarted. When they return to the courtroom after gathering evidence, Patty's chief witness has already been killed, so she withdraws the case.

These courtroom scenes are the exception, as we hardly ever see the trials. In that sense, *Damages* is not a typical legal drama, where the courtroom scenes intensify and then resolve the personal rivalry. Particularly in legal dramas where the two lawyers are related, the courtroom has been the space for maintaining or overturning the power dynamic between them. In George Cukor's *Adam's Rib* (1949), Amanda Barnes (Katharine Hepburn) defends Doris Attinger (Judy Holliday), who shoots at and injures her husband Warren Attinger (Tom Ewell) for cheating on her. The defendant's husband is represented by Amanda's own husband, Adam Barnes (Spencer Tracy), and the showdown in the courtroom rewrites their marital skirmish as a legal battle for gender equality. The clash in Michael Apted's *Class Action* (1991) is more complex, as Maggie Ward (Mary Elizabeth Mastrantonio) faces off against her father Jed Ward (Gene Hackman) in a civil class action lawsuit against a car manufacturer whose station wagons tend to explode when making a left turn. Maggie despises her father for his adultery and believes she finally has him where she "can beat him." She serves as the ruthless corporate defense attorney, whereas Jed fights for justice for plaintiffs who have been burned or maimed in auto explosions. As in *Adam's Rib*, though the two lawyers stand shoulder to shoulder in the courtroom, the male figure is given the final word. Jed wins the case, and Maggie is punished for her careerist ambitions, and she must learn to respect the law of the father as well as the authority of her own father. Although Amanda has her client acquitted, Adam forces her to admit that "no one has a right to break the law," and the film chastises her for her "sideshow antics." In both cases, masculine authority is reasserted through the legal drama. The courtroom determines the outcome not only of their cases but also of their family feud. No such resolution is

possible in *Damages*. The series "cares little for the rules of that genre," and its "end-of-season verdicts seem practically irrelevant."[62] In fact, it hardly ever subscribes to the limits imposed by a legal procedural, because it is not interested in explaining how the justice system does or does not work. There are no facts to be proven or wrongs to be righted; these lawyers are too cynical to actually believe in law and order. When Patty and Ellen appear in court, they are immediately dispatched to discovery. That is what *Damages* is truly invested in: how knowledge is constructed and gathered.

Both Ellen and Patty are interested in knowledge and how that knowledge can be used for assuming or undermining power. At the very beginning of the series, we are introduced to Ellen and to Patty separately, as they use knowledge for professional gain. Before we see Patty, we hear about her during Ellen's meeting with Nye and Associates ("Get Me a Lawyer," 1.1). Ellen is fresh out of law school, and they want to hire her as a junior associate with a starting salary of $150,000. Her hand hesitates to sign the contract, and Hollis Nye (Philip Bosco) wonders who else she's met with. She then reveals having received a phone call from Hewes and Associates, and one of the senior partners, Susan Marsden (JoAnna Rhinehart), swallows hard after mentioning the name of Patty Hewes. Nye expresses his disappointment, implying that Ellen has deliberately withheld that information to keep them ignorant of their competition. The following scene serves as an explanation for this exchange, as we see Patty heading to the courthouse with her associate, Tom Shayes (Tate Donovan), while considering a $25 million settlement offer from defense attorney Martin Cutler (Robin Thomas). Patty counters with $150 million. On the courthouse steps, she reminds Martin that "children died," allegedly due to the negligence of his defendant, while someone interrupts to alert them that the verdict is in. Under pressure of a verdict, Martin relents and offers her exactly what she has been demanding. It appears that Patty has been able to push Martin hard because she already knows about the impending judgment. But it turns out that what Patty knows, and Martin doesn't, is that the jury has actually been at Quizno's for lunch. That is what she withholds from her opponent in order to gain the upper hand, an act she justifies by reminding Martin of Reggie Dwayne Thomas, or "Patient 61," a second grader whose acute illness his client is responsible for. These parallel introductory scenes demonstrate that both women are capable of withholding information from their opponents.

But this isn't a series about two corrupt lawyers within a corrupt justice system either. Unlike Richard Marquand's *Jagged Edge* (1985), where district

attorney Thomas Krasny (Peter Coyote) withholds exonerating evidence, *Damages* is not about deception. Nor is it about the concealment of information or evidence as a moral issue, as in Martin Scorsese's *Cape Fear* (1991), where defense lawyer Sam Bowden (Nick Nolte) deliberately withholds evidence that could acquit his own client Max Cady (Robert de Niro), who is being tried for violent rape. In fact, *Damages* distinguishes itself from a typical legal drama by being skeptical of their belief in justice. In that way, the series relies on postmodern legal theory, which critiques modern legal theory for believing in universal or ultimate truths about the law. Gary Minda argues that modern legal theory is rooted in the Enlightenment belief in rational subjects who rely on stable legal norms to make or interpret the law. Postmodern legal scholars, on the other hand, are skeptical of such universal claims of justice. Ironists in particular, Minda points out, "attempt to facilitate the crisis and fragmentation of modern theory by employing postmodern criticism to 'displace, decenter, and weaken' central concepts of modern legal Western thought."[63] That is because they believe that modern legal Western thought has never been objective or just or fair. Any sort of judicial objectivity is actually the disguised privileging of specific perspectives. Postmodern legal theorists believe in "the impossibility of solving legal problems under an ideal set of conceptual solutions."[64] It is this sort of impossibility of legal solutions or resolutions that *Damages* emphasizes. Every season sets up a confrontation with a specific bad actor, such as a fraudulent billionaire CEO or an unethical energy company or a corrupt private security contractor hired by the US government. Even though Patty Hewes tries to make every bad actor pay in some way—the CEO Arthur Frobisher (Ted Danson) agrees to liquidate 93 percent of his assets to pay his aggrieved employees, for instance—justice isn't served. As Frobisher promises after losing most of his net worth, he "will build all of this back up again" ("Because I Know Patty," 1.13). The problem isn't with this or that type of jurisprudence. What *Damages* demonstrates is what Minda suggests about postmodern legal theory: both point up critical flaws within the idea of justice rather than offering coherent legislative alternatives or impartial resolutions.

One of the ways the series emphasizes "the impossibility of solving legal problems" is by revealing that crime isn't centripetal. In the second season, for instance, Patty's former lover Daniel Purcell (William Hurt) informs her that his scientific research company wants to bury the results of a toxicity study showing energy giant Ultima National Resources releasing a poisonous chemical compound called Aracite in West Virginia ("I Lied, Too,"

2.1). Shortly thereafter, Daniel's wife Christine (Paige Turco) is killed in their kitchen; either he is responsible for her death or is being framed for her murder. At the same time, Ultima's CEO Walter Kendrick (John Doman) has been secretly forcing power failures in other parts of the country in order to manipulate the energy market while working with Washington power broker David Pell (Clarke Peters), who enables illegal energy trades by concealing them as GPS coordinates. Patty agrees to take the case against Ultima and Kendrick, but in order to allow those GPS coordinates into evidence, which she has obtained illegally, she has to bribe Judge Oliver (Henry Strozier). Ellen works with Patty on the case, but she is also an FBI informant trying to destroy her boss, who, she believes, tried to have her killed. The FBI, it turns out, is working with Pell to bring Patty down. They ask Ellen to convince Patty to take on a fake infant mortality case against HMOs forcing at-risk low-income women to undergo natural birth because c-sections would be too expensive. Patty assigns the case to Tom Shayes, so the FBI agents decide to flip him against Patty. There isn't, in other words, a single bad actor in this series of offenders. Nor is there a point of origin for these tangled offenses.

That is why there can't be a straightforward legal resolution either. After Patty signs up to defend Daniel, she leaks his Aracite report ("Burn It, Shred It, I Don't Care," 2.2). He thinks she's double-crossed him, but that is her way of figuring out who commissioned the report in the first place. What she learns is that Ultima itself had ordered the report, and its findings of illegality may have led to Christine's murder. But what looks like a case of big business acting unethically turns into something more complicated, because Daniel is responsible for his wife's death and is also having an affair with Ultima's lead counsel, Claire Maddox (Marcia Gay Harden). Similarly, the FBI's quest to frame Patty is itself blatantly illegal, as they use an agent to play the role of plaintiff Monique Bryant (Sharon Washington). During the setup, Monique asks Tom to pay her $60,000 before signing a retainer; if Tom pays, he can be arrested and then forced to testify against Patty. But if Patty goes down, they can't try the case against Ultima, which can get away with poisoning thousands of people and making off with billions in stock trades. As Tom Shayes explains, "Patty is no saint," but she "fights for people nobody else gives a shit about" ("Trust Me," 2.13).

Therein lies the real irony that *Damages* underlines, by weakening traditional legal dramas. Even though Patty succeeds, and Kendrick and Pell are arrested at the end, they are unlikely to go to prison. They'll probably settle out of court and then rebuild their fortunes and their reputations, as

evidenced by Frobisher's reappearance as a spiritual guru and investor in environmentally responsible architecture. The Environmental Protection Agency begins cleaning up in West Virginia. This may seem like a victory, until we realize that US taxpayers would be paying for such a cleanup. By contrast, a film like Steven Soderberg's *Erin Brockovich* (2000)—where the titular character (Julia Roberts) fights against PG&E, finds evidence to prove that PG&E is contaminating the water, and wins a $333 million class-action lawsuit against the energy corporation—seems rather naïve. Even *The Practice* (ABC, 1997–2004), which revolutionizes legal dramas on television by debunking the glamor and glory of judicial pursuits exemplified in a show like *L.A. Law*, errs on the side of moral victories. In a multi-episode story arc, young associate Lindsay Dole (Kelli Williams) sues a big tobacco company on behalf of Emerson Ray (James Greene) for the wrongful death of his wife ("Pilot," 1.1). Her opponent for the defense is her beloved law school professor Anderson Pearson (Edward Hermann). Given that she is up against her experienced mentor and the powerful tobacco industry, Lindsay is set up as the classic underdog. She even practices her opening statement in a dark room as if preparing for interscholastic mock trial ("Part IV," 1.4). Her boss Bobby Donnell (Dylan McDermott) sets up the fight as a confrontation between scientists and experts called by the tobacco industry on the other side and "the unglamorous but simple truth" on theirs. Lindsay's opening statement is so effective that Anderson himself shows up with a settlement check for $1,700,000. He even apologizes for the death of Emerson's wife. No such triumphs are forthcoming in *Damages*, where a win isn't a win. Even Ellen, who initially seeks justice for her attempted murder, concludes that Patty is "corrupt, narcissistic, cruel, . . . but so is the rest of the world" ("Trust Me," 2.13). That indecisive reaction is the most we will get by way of a resolution. For the series is not, as legal dramas usually are, interested in justice in a conventional sense. This lack of conclusivity overlaps, as we will see, with non-linearity.

Shortly after that inconclusive ending, Ellen decides to leave Hewes and Associates. The season's final sequence cross-cuts between Patty and Tom discussing whether Ellen will return and Ellen contemplating a fresh start by her ex-fiancé's grave ("Trust Me," 2.13). Before the final credits roll, Patty walks toward the end of the pier at her lake house, from foreground to background, whereas Ellen walks away from the cemetery, frame right to left.

Though in different spaces, it is possible that, if they both keep walking in those directions, their paths could cross again. But then the camera angle on Ellen changes slightly, so she's almost walking toward the camera. A second later, Patty walks back toward the camera too, and then the screen fades to white, then gray, then black. The last shot emphasizes the many shades of Patty Hewes, neither all good nor bad, though the final ghostly image is quite menacing. The crisscrossings leading up to that moment illustrate the tangled relationship between Patty and Ellen, particularly the ways in which their lives converge, swerve, and deviate (more on this last point later).

More significantly, these zigzagging lines represent the structure of the show itself. The primary reason we don't get a resolution in *Damages* is because it deliberately undercuts linearity at every turn. If we return to the example from *The Practice*, we can note that, though taking place over multiple episodes with other interwoven plotlines, we can draw a straight line from the moment Lindsay takes on Emerson's case to the moment when they receive the settlement and apology. No such linearity exists in *Damages*, in the classical sense, from beginning to middle to end. I would say that its postmodern non-linearity approximates what Zygmunt Bauman has called liquid life. Over a series of books, Bauman defines our contemporary world and time as "liquid," which enables him to describe how the solid, dependable Western fabrics have melted into a society reliant on flux and instability. "Liquid life," he argues, "cannot keep its shape or stay on course for long."[65] In place of the reliable clockwork temporality, past and future can collapse into each other; a rapid succession of instants can rupture or detemporalize time itself. In popular media, Mark Deuze specifically sees the appearance of liquid time "in the production of groundbreaking, unconventional new media formulas, hybrid genres, and unexpected or otherwise experimental storytelling formats."[66] I would argue that *Damages* belongs to this category, playing with the idea of time by overlaying the conventional legal drama atop characteristics of the puzzle film in order to unsettle any notion of a just resolution. There is the actual play with time, which reshuffles the chronology of events in every season. The first season begins with an injured Ellen stepping off an elevator and running out of an apartment building into the streets; then we flash back to "6 months earlier," when she receives her job offer at Nye and Associates. Thus begins the forward-moving narrative that will catch up with and fully explain the opening sequence by the season finale. At the start of the second season, Ellen tries to get a confession out of someone at gunpoint. When we fade to "6 months earlier," Patty is basking in the Frobisher

victory; though she claims that she wants to focus on her charity work and not take on another case, as the season moves along, she does go after Ultima. Various flash-forwards unveil that the person at the other end of Ellen's gun is in fact Patty, being threatened into confessing that she was responsible for Ellen's attack at the beginning of the first season. And so on. Every season opens with a mysterious moment that is fleshed out over the course of several episodes. While the primary plot of a big case against a corporation or industry unfolds, viewers, like good detectives, gather clues to analyze how we understand where we started.

Non-linear storytelling isn't uncommon in contemporary serial drama. Most overtly, *Lost* (ABC, 2004–10) uses flashbacks and flashforwards to fill in details of the survivors' lives before and after Oceanic Airlines Flight 815 crashes on a mysterious island. In "Ji Yeon," for instance, we get a glimpse of Jin (Daniel Dae Kim) bringing a gift for someone at childbirth while working for Paik Automotive in Seoul in the flashback, while we see his wife Sun (Yunjin Kim) giving birth to their daughter in the flashforward, which reveals that Jin has not survived ("Ji Yeon," 4.7). *FlashForward* (ABC, 2009–10) is also rooted in this form of storytelling. Its title itself indicates an earthquake-like event that makes everyone on the planet lose consciousness and flash forward to witness visions of their life six months later. Jason Mittell argues persuasively that non-linear storytelling is an integral part of complex TV, which demands a more engaged form of spectatorship. In place of a linear storyline, these shows offer a complex chronology that allows viewers "to be both actively engaged in a story and successfully surprised through storytelling manipulations," which, Mittell suggests, demonstrates "the operational aesthetic at work."[67] *Damages* also uses such out-of-chronological-order disruptions to intimate and then explain its narrative twists and turns. But there is more to this show's laying of the puzzle film over the legal drama.

I borrow the term "puzzle film" from Warren Buckland, who uses it to characterize varied modes of complex plots that break with the classical, mimetic form of storytelling.[68] Buckland draws on and then diverges from David Bordwell's depiction of narratological complexity, which Bordwell primarily calls "forking-path" films—that is, films that deviate from classical norms because of their "complicated uses of time and point of view."[69] Though they diverge, Bordwell claims that they make sense because the multiple paths or plots "intersect sooner or later," because even these experimental forms are ultimately "unified by traditional cohesion devices."[70] Buckland suggests that not all puzzle films eventually exhibit this kind of Aristotelian unity. In some

of them, "the arrangement of events is not just complex, but complicated and perplexing; the events are not simply interwoven, but *entangled*."[71] That is to say, sometimes puzzle films "explain" their twists, as in M. Night Shyamalan's *The Sixth Sense*, where Malcolm Crowe (Bruce Willis) comes to realize at the end that he has been dead throughout the narrative. That little piece of information, withheld until then from character and audience, clarifies why Malcolm feels so unsettled. This is how narrative complexity in shows like *Lost* or *FlashForward* works as well. But at other times reconciliation or understanding is not possible. In David Lynch's *Mulholland Drive* (2001), two narratives parallel each other without fully intersecting or explaining themselves. Aspiring actress Betty (Naomi Watts) befriends an amnesiac woman (Laura Elena Harring), and they set out to discover the identity of that woman, whom they call Rita. Shortly after halfway into the film, Betty turns into Diane, a deeply depressed failed actress, and Rita becomes Camilla, Diane's former friend and lover. It could be that the first plot is the realistic storyline, and the second part is Betty's nightmare; or it could be that the second part is the realistic storyline and the first is Diane's wishful dream. There are no definitive clues to understand how the two narratives merge. There is no reconciliation between them; their connection remains unexplained, even inexplicable, until the end, for a puzzle film isn't like a picture puzzle, where all the pieces eventually fit to reveal a coherent scene.

Although *Damages* appears like a picture puzzle, I would suggest that its extravagant plot twists, dubious reversals, and manipulative flashforwards mock narrative neatness. The case against Arthur Frobisher, for instance, pivots on one weekend in Florida in 2002, when he dumps his stock illegally. Ellen's future sister-in-law Katie (Anastasia Griffith) happens to have been catering an event for Frobisher that weekend and may be a key witness in the case. Since Frobisher is also her future restaurant's financier, Katie has been unwilling to testify. But when she finds her little dog murdered in her kitchen, with a knife pinned to a note saying "quiet," she relents ("Pilot," 1.1). What appears to be Frobisher's attempt to silence her, however, is actually Patty's roundabout way of trying to convince Katie to testify. As we watch Patty toss the dog's collar into her lake at the end of the pilot, we have to wonder if this surprise ending might be a little excessive. But that is just the beginning. What Katie reveals is that, while in Florida, she saw Frobisher in a parking lot with someone else, who, it appears, could strengthen the case against the billionaire. The real reason she hasn't wanted to testify is because she had a one-night stand with a guy named Gregory (Pater Facinelli) that

night, got pregnant, and had to get an abortion. Though that guy could be a key witness, Katie claims she's never seen him since. On Patty's orders, Tom follows her stealthily and sees her meeting with Gregory Malina regularly ("Jesus, Mary, and Joe Cocker," 1.2). The plot becomes even more convoluted from here. She doesn't actually know anything about the identity of the man with Frobisher in Florida, but when she feels personally threatened, Katie presses Gregory to help her out. He gives her a name, Luke Richards, one of the brokers' assistants ("Tastes Like a Ho-Ho," 1.4). But Gregory himself is being intimidated, and he deliberately feeds Katie inaccurate information, which means Katie perjures herself during her deposition. And it means Frobisher pulls his initial settlement offer. With a discredited witness and no settlement in sight, Patty ought to be devastated. But she is thrilled. She confesses that this makes her team look "very foolish." But she's willing to appear foolish in order to continue fighting against Frobisher. In fact, Katie's meltdown is not a surprise twist; nor is she a surprise witness, as is the case in many legal dramas. Patty is the one who has orchestrated this elaborate plot twist. She hires Ellen, knowing that the young protégée will want to impress her by bringing in her sister-in-law as a witness. She pushes Katie to testify by having her dog killed. She bets accurately that Katie is still seeing Gregory and will receive misleading information from him. When Katie names Luke Richards, she lets her go on record, knowing that Frobisher's lawyer Ray Fiske (Željko Ivanek) will produce an ATM picture of Richards in Atlantic City at exactly the time when Katie claims she recalls seeing him with Frobisher in Florida. And she anticipates rightly that Frobisher will withdraw his settlement offer. As Ellen says later, "This doesn't make any sense." She's right; these twists and turns appear illogical. Couldn't Patty have achieved the same result—having Frobisher revoke his initial offer—without involving Katie? Besides demonstrating Patty's ruthlessness, what purpose does this unexpected turn serve? After all, *Damages* isn't just about how Patty Hewes stays ahead of her nemeses. Its twists and turnarounds resemble the fragmentary puzzle film that never fully comes together as a linear narrative.

One of these puzzles unravels in the third season when Patty takes on the Tobin family, whose patriarch Louis Tobin (Len Cariou) confesses to a Bernie-Madoff-style Ponzi scheme that loses billions of dollars. The federal government asks Hewes and Associates to investigate whether Louis has hidden money for the family and whether anyone else knows about that arrangement. While she watches the Tobin family disintegrate, Patty struggles with her son Michael and recalls the loss of her stillborn child decades earlier.

In that way, this season reflects on the ways that work and family intersect and whether a balance between them is possible. These intersections are addressed in the season's opening montage; multiple split screens move back and forth in time, reminding us of the toll that the search for justice has taken so far ("Your Secrets Are Safe," 3.1). What is jarring is that Patty's and Ellen's voiceovers do not line up with the images. Patty speaks about liking Ellen, who "has a brilliant future," while visually we return to the past, when Ellen leaves her elevator after being nearly killed. Ellen calls Patty "nothing less than an inspiration," while we cut back to Patty looking completely unhinged at her lake house after ordering Ellen's murder. But the other characters fill in the repressed details. An extract from Frobisher reminds us that Patty is the kind of woman who can "cut your balls off and jam them down your throat," while Michael interjects to say that "people either leave [her] or die." This tableau reveals an incomplete picture. Patty is neither an inspiration nor a bitch. Ellen is neither the young ingénue nor the one motivated by revenge alone. What this overtly non-linear opening suggests is that there isn't a clear way to narrativize a person's life.

To underscore that point, for the first and only time in the series, we switch timelines without the crutch of an intertitle locating us specifically. The montage cuts to black; then without any temporal reorientation, we see Patty joyfully raising a glass at a restaurant ("Your Secrets Are Safe," 3.1). To the tune of Melody Gardot's version of "Over the Rainbow," various quick shots of her softly lit, smiling face make it look like she is in a happier place and time. As she leaves the restroom, she is interrupted by Julian Decker (Keith Carradine), who, under the guise of asking her out on a date, wonders whether it is hard to "play the role of Patty Hewes." Patty pleads innocent, suggesting that she is always being her true self, and walks away from him; "6 months later," while she's listening to a radio show debating her motivations for going after Frobisher and Ultima publicly, a car suddenly crashes into hers. Of course, six months after an evening that isn't firmly rooted chronologically is also temporally hazy. It is reminiscent of Luis Buñuel's *Un Chien Andalou*, where, "once upon a time," a man (Luis Buñuel) splits open the eye of a woman (Simone Mareuil) with a razor, and then "eight years later," another man (Pierre Batcheff) bikes down the street wearing a nun's habit, while the young woman from the previous scene reads a book in a sparsely furnished apartment. If we take seriously the film's opening of "once upon a time," then the following temporal specification undermines that fairy-tale timelessness. At the same time, if we try to precisely locate the moment

of "eight years later," then in relation to the previous title card, the second scene's chronology is arbitrary and meaningless. Buñuel's film is filled with such inconsistencies, undermining any logic of realistic time. Though not so overtly erratic, *Damages* too destabilizes our expectations of temporality. While it seems that everything connects at the end of each season, there are many moments that remain suspended in time. Resolutions remain out of reach, and the orderly structure of subtitles marking time almost begins to rebel against itself.

At first it appears that there are two timelines developing in this third season, one starting in the present and moving toward the future, and another starting in the future and moving backward in time. The present-tense main narrative starts with Louis Tobin pleading guilty to the Ponzi scheme; it develops with revelations of his family's secret dealings and moves toward the end with the suicide of his wife Marilyn Tobin (Lily Tomlin) and the confession by his son Joe Tobin (Campbell Scott). The second narrative begins with multiple moments from the future: Patty's car crash, the questioning of a homeless man (Michael Laurence) about a bloodstained Chanel bag that turns out to be Patty's gift to Ellen, and the discovery of Tom's dead body in a dumpster. Those events become clearer as we go back in time to learn about Tom's family's financial losses in the Tobin fraud, about Ellen working with him clandestinely, and about Joe Tobin killing him. These later events interrupt the main narrative, announced usually with an intertitle, and they carry a bluish tint to distinguish them from the forward-moving tale. On the surface, these competing timelines allude to those in Christopher Nolan's *Memento* (2000), where Leonard Shelby (Guy Pierce) tries to find his wife's killers while dealing with his affliction of anterograde amnesia. In Nolan's film, scenes in black-and-white move chronologically forward, whereas scenes in color move backward, and the two timelines meet near the end, revealing how and why Leonard ends up killing Teddy Gammell (Joe Pantoliano).

In *Damages* too, the timelines meet at the end, after intersecting along the way. In the future timeline, for instance, detectives discover Tom's body in a dumpster; immediately we cut to Tom instructing workers to position the new sign for the firm, renamed Hewes and Shayes after he becomes a named partner. "A little left," he says, unwittingly underscoring that he only has six months left to live ("Your Secrets Are Safe," 3.1). Patty's disappointment with Michael dating Jill Burnham (Wendy Moniz-Grillo), a woman almost twice his age, parallels Louis's frustration with Joe's alcoholism in the main

narrative, whereas "5 months later" Patty promises to cooperate fully with Detective Huntley (Tom Noonan) as "Tom was like family to [her]" ("Don't Throw That at the Chicken," 3.4). As the timelines get closer, the plots intertwine more intricately. Tom leaks his own lost finances to Judge Reilly (Peter Jay Fernandez) in order to have to resign from Hewes and Shayes publicly, so he can make a deal with the disaffected Tobin family attorney, Leonard Winstone (Martin Short), to prohibit the remainder of the Tobin family from using the hidden money. Once Patty finds out that Jill is pregnant with Michael's baby, she writes her a check for a half million dollars to leave him, but Jill uses the money to rent an apartment and buy a car ("You Were His Little Monkey," 3.12). When she learns that Jill has cheated her, Patty sends her to prison for having sex with a minor and repossesses the car, which is why Michael himself rams into her. When Marilyn learns that her husband committed fraud to protect their alcoholic son, who has made too many financial promises he couldn't keep, and when Joe freezes her out, she jumps into the East River. It is her body that the earlier teasers have been forecasting. When Joe learns of Tom's deal with Leonard, he kills Tom by drowning him in a toilet. In the interrogation room, where the series resembles a conventional legal drama for a moment, Patty implores Joe to admit to Tom's killing by seemingly empathizing with him for making "unforgivable mistakes." And then she turns off the intercom. As Patty says, "Listen to me, Joe," the screen fades to black. In the next shot, Patty walks out with a confession. Just like that, we are made to believe that justice will be served. If this is the season's crucial crystallization of what people sacrifice for work and for family—presumably Patty shares with him her own personal and professional "unforgivable mistakes"—then we get to see and hear none of it ("The Next One's Gonna Go in Your Throat," 3.13). We also have no idea how much time passes during this missing moment. When the two timelines are finally integrated, we are faced with this temporal and epistemic gap. Like a complex puzzle film, *Damages* does not explain or tie together all of its loose ends.

Just as it critiques the notion of justice underlying conventional legal dramas, the series draws on puzzle films to undermine traditional temporality itself. As we have seen again and again, there is no straight line to be drawn from crime to punishment. While the plots offer ostensible temporal markers to connect events, those markers do not straighten out the interwoven timelines. That is because, on top of defying the concept of justice, the law of temporality itself is being challenged here. Toni Pape offers a

remarkable assessment of the rebuke of modern time in *Damages*. She aligns the "legal scheming" by the characters within the narrative with the " 'temporal scheming' of the narrative."[72] Drawing on the philosophies of Henri Bergson, Gayatri Spivak, and Mark Currie, Pape argues that "while, within the story, the show *explicitly* criticizes the legal system, the narrative discourse *implicitly* performs a critique of modern time."[73] As implied earlier, the series only pretends to deliver temporal cohesion by the end of each season.

In fact, the season finale doesn't even really pretend to connect all the dots into a straight line. For there is the matter of Julian Decker, who appears, impossibly, in two timelines as the same person at roughly the same age. Recall that we first meet Julian when he runs into Patty at a restaurant ("Your Secrets Are Safe," 3.1). Although this first encounter is integrated into the present-tense narrative, as Patty's car crash occurs "6 months later," its timing remains a little hazy. It alerts us to the fact that, though the scene occurs in the main narrative, it may not be fully tethered to it. Julian bumps into her at another restaurant and coincidentally turns out to be the "sort-of architect" recommended to redecorate Patty's apartment. When they meet at her apartment, Julian advises her to keep in mind that "these downtown factory conversions are so rich with history." He urges her to see that her apartment's clean lines are covering up some original details: "Your beauty, the history, the warmth all lie behind these walls." He hopes to demolish the walls and show her what lies behind them, if she's "willing to live with some mess" ("Don't Forget to Thank Mr. Zedeck," 3.6). Curiously, his initial possessive adjective "your" applies to Patty, and Julian seems to want to connect her to her own history as much as her apartment's. After he shows her his plans for the remodel, Patty agrees to the challenge, taking a hammer to her wall herself ("Drive It through Hardcore," 3.9). The wall becomes a sort of portal, taking Patty back in time, when she had to make the tough choice between having a baby and becoming the first woman attorney at a New York law firm. As she looks through the portal, she sees Julian tending to his horse in a barn ("You Were His Little Monkey," 3.12). A flashback explains that, back in 1972, a doctor (Gerry Bamman) tries to convince a young pregnant woman named Patricia (Liz Holtan) that "being a mother is more important than" career or ambition. We never see her face, as the camera remains in her point of view; her voice sounds like we imagine Patty might've sounded decades earlier. But these flashes of the past remain incomplete. Only after the main narrative has been resolved—that is, after the Tobin case has been settled—do we return to

1972 ("The Next One's Gonna Go in Your Throat," 3.13). As Patty and Ellen reconnect at her lake house, they talk about balancing work with family life. Patty recalls being pregnant and then getting her dream job offer. But after that, Patty's memory doesn't match up with what she shares with Ellen. She tells Ellen that the baby was stillborn, freeing her up to move to New York and pursue her career. Her flashback, however, reveals that she likely caused the untimely birth, perhaps by riding Julian's horse, willfully rejecting her doctor's advice of bed rest. This moment functions as another epistemic gap, insofar as we never come to know the complete narrative of what happened in 1972.

In addition to critiquing chronological—or what Pape calls modern time—this moment demonstrates how *Damages* defies heteronormative time. In *In a Queer Time and Place*, J. Jack Halberstam argues that although postmodern theorists offer trenchant critiques of normativity, they don't go far enough to suggest alternative ways of organizing lives. Halberstam proposes using queerness to think about other ways of living that are "an outcome of strange temporalities, imaginative life schedules, and eccentric economic practices."[74] In particular, Halberstam shows how traditional linear temporality is connected with "reproductive time," which is "ruled by a biological clock for women and by strict bourgeois rules of respectability and scheduling for married couples."[75] Following the rules of heteronormative time implies complying with a predetermined trajectory that progresses from coupling to marriage to procreation to parenting to aging. Moreover, this timetable is coterminous with "generational time within which values, wealth, goods, and morals are passed through family ties from one generation to the next."[76] An individual life's chronological development is tied to familial stability, upon which relies national stability. Most people "experience this logic as inevitable, and they are therefore able to ignore, repress, or erase the demands made on them and others by an unjust system," for questioning heteronormative time might result in a breakdown of individual and collective identity.[77] Patty Hewes fights against this injustice of compulsory motherhood even before she becomes a lawyer. When she flashes back to 1972, she laments that although she loved her unborn baby's father, "he didn't have [her] ambition." It is safe to assume that her lover was dedicated to the predictable life schedule of marriage and parenthood, whereas her ambition disrupts those expectations of heteronormative time. Rather than terminating her career aspirations, she induces a late-term or post-viability abortion. Patty unsettles the logic of reproductive temporality by choosing

"the potentiality of a life unscripted by the conventions of family, inheritance, and child rearing."[78] But this choice causes a literal, and not only a temporal, disturbance. At her lake house, after she is informed that Ellen has been attacked, Patty shakes violently, as though she is disintegrating, recalling the moment in *Mulholland Drive* when Rita and Betty tremble with fear when they discover Diane's dead body. That is when a character from one narrative appears in another, and it is evident that the film will never be flattened out into a straight line. More importantly, in Lynch's film as in *Damages*, non-linearity is aligned with a resistance to heteronormative time. When Ellen later asks if it is worth it, Patty does not answer. Nor does the series. *Damages* is not invested in bourgeois righteousness. Was it right for Patty to induce an abortion in order to achieve her independence? Alternatively, is it moral to ask a woman to give up her career in order to become a mother? These questions cannot be resolved. Legal justice isn't possible; nor is reproductive justice. We cut fleetingly to a distraught Patty visiting her stillborn daughter Julia's grave. We cut back to a more serene and stoic Patty at the pier. These are the risks and rewards associated with deviating from straight time.

Given this temporal deviation, it would be productive to explore how *Damages* links non-linear storytelling with the maternal melodrama, for the narrative gaps are especially prominent in relation to Patty's role as a mother. Hilderbrand hints at this alliance when he suggests that "the show strategically refuses the audience the ability to make sense of the puzzle the way other complicated, *masculinist* serials often offer the satisfaction of narrative mastery."[79] For Hilderbrand, the lack of a clear resolution of the puzzle distinguishes this series from others that manipulate time. His quick reference to other shows as "masculinist" opens up a way to think about *Damages* in relation to the tradition of feminist writing on chronological or heteronormative resistance, which occurs most regularly in the woman-centered melodrama. I want to sketch major developments in this genre, though they may be familiar, to show how *Damages* fits into this tradition and to tease out the links between maternity, temporality, and legality. In her pioneering essay on the genre, Laura Mulvey traces its life cycle "from its birth in the crowded city streets to its death in the television-dominated home."[80] For Mulvey, melodrama originated on the nineteenth-century stage, which portrayed the anxieties of the urban working masses. Early melodramas depicted how the innocent and the naïve could be exploited in or by the city. Instead of

heroic action, they pivoted on the cruelty of fate and the arbitrariness of justice. Melodramatic characters were conflated with exaggerated emotions and excessive sentimentality. That is because melodramas represented "a crisis of expression, in which language is either inappropriate or inadequate to the emotional burden of the subject matter at stake."[81] When the melodramatic mode moved from stage to screen, in the absence of synchronized sound, it became the ideal vehicle for narratives of passion that expressed the inexpressible. Its focus on the family offered "a ready-made *dramatis personae* of characters whose relations are by very definition overdetermined and overlaid with tension and contradiction, destined to act out Oedipal drama, generational conflict, sibling rivalry, the containment and repression of sexuality."[82] In fact, the melodrama came to exemplify the repressions and frustrations of domesticity.

During the 1930s, '40s, and '50s, a subset of this genre emerged to give voice to the quiet and contradictory vexations of motherhood. Maternal melodramas typically represent selfless mothers who are willing to sacrifice themselves for their children's emotional or social success. In Michael Curtiz's *Mildred Pierce* (1945), Mildred (Joan Crawford) runs a successful restaurant business to support herself and her children after her first husband leaves her. But her daughter Veda (Ann Blyth) resents her for lowering their social status. In Douglas Sirk's *All that Heaven Allows* (1955), Cary Scott (Jane Wyman), a wealthy widow, decides to forgo her romance with her gardener (Rock Hudson) in order to please her adult children and country-club peers. Though she returns to her lover at the end, Cary's liberatory act might actually bind her once more to domestic settlement. Such are the paradoxes of the maternal melodrama, and feminist scholarship has focused on exploring whether the genre reestablishes or resists patriarchal authority. Mary Ann Doane and Linda Williams point out these conflicting views in their analyses of King Vidor's *Stella Dallas* (1937), where Stella (Barbara Stanwyck), a working-class mother, devotes herself to raising her daughter Laurel (Anne Shirley). When she realizes that it is her social maladroitness that is keeping Laurel from settling into a wealthy marriage, Stella walks away from her daughter's life. Doane argues that maternal melodramas make female desire visible by offering a "ritualized mourning of women's losses in a patriarchal society."[83] These films create a space for female subjectivity that isn't wholly contained by the narrative. Stella literally and figuratively appears in excess. Her flashy clothing and ostentatious jewelry are a visual reminder of this excess; she's even ridiculed by aristocratic teenagers for looking like

a "Christmas tree." But because this excess distresses and embarrasses her daughter, Stella chooses to extract herself from her daughter's life. "The price to be paid for the child's social success," as Doane puts it, "is the mother's descent into anonymity, the negation of her identity."[84] Though the mother does not allow herself to be reinscribed into domesticity, she actively enables her daughter to do so. At the end, Stella becomes a spectator as Laurel marries into a wealthy family—an outsider, alongside other bystanders looking in through a window. Linda Williams suggests that this double gaze of us watching Stella watching her daughter foregrounds "the contradictions between what the patriarchal resolution of the film asks us to see—the mother 'in her place' as spectator, abdicating her former position *in* the scene—and what we as empathic, identifying female spectators can't help but feel—the loss of mother to daughter and daughter to mother."[85] In other words, Williams implies that Stella is not just a powerless witness at the end, watching her daughter inherit the norms of bourgeois domesticity. Rather, in the film's iconic concluding scene, Stella walks away in the rain, with a handkerchief gently wiping away tears. The final look on her face shows conflicting emotions—of triumph and despair. We don't need to believe that her identity has been negated. Is it possible to see her leave-taking as continuing resistance to reproductive temporality?

More recent women's films have registered this kind of resistance explicitly, by portraying an asynchronicity with heteronormative time. Writing about untimeliness in Todd Haynes's *Far from Heaven* (2002), Dana Luciano shows how the film undermines heteronormative temporal expectations, which are couched as timeless family values. Cathy Whitaker (Julianne Moore) is an affluent white fifties housewife and mother, who claims she has never wanted anything more, right before she develops an illicit companionship with her black gardener Raymond Deagan (Dennis Haysbert). Though this relationship is doomed to fail, Cathy does not return to her husband Frank (Dennis Quaid). As Luciano argues, though the film examines Frank's "as-yet-unnameable homosexuality," it is Cathy who is aligned with queer time, for she "appears predisposed toward missing beats in the repetitive rhythms of domesticity."[86] Cathy is forgetful and late, therefore unable to perform her conventional motherly duties satisfactorily. More significantly, her sexual desire after motherhood links her to "a kind of queerness—one determined not, as homosexuality, by the gender of object-choice but by a perceived 'mistiming' of desire, a lack of synchronicity with the reproductive-generational order."[87] Even though this desire isn't gratified, Cathy puts up resistance to the

logic of reproductive temporality. Similarly, Julianne Pidduck traces how the asynchronicity of queer time structures Stephen Daldry's *The Hours* (2002). Daldry's film tracks the unfulfilled lives of women from three different generations: Virginia Woolf (Nicole Kidman) in 1920s England, struggling with mental illness and domestic entrapment; Laura Brown (Julianne Moore) in 1950s California, stuck in an unhappy marriage; and Clarissa Vaughan (Meryl Streep), a bisexual woman living with her lover in 2001 New York City, more free and yet unliberated. Pidduck argues that the film's "transtemporal narration accentuates the erotic and affective asynchronies of conventional heterosexual and same-sex domestic arrangements alike."[88] Time becomes perceptible as the text travels back and forth, and its patterns are shown as anything but natural. This is what it means to be invested in queer time in relation to women's melodramas. The inconsistencies in designing women's lives according to a reproductive clock are made visible, as are the possibilities for resistance.

By denaturalizing motherhood, *Damages* similarly criticizes the logic of reproductive time as well as the traditional sanctification of motherhood. Patty isn't much of a maternal figure; indeed, she is openly opposed to mothering. While waiting to meet with Michael's private school headmaster, she frankly tells Ellen: "Don't have kids" ("Pilot," 1.1). She quotes a (male) Nobel prize–winning physicist, who argues that procreation "ruins your ambition, keeps you from what you want in life." As we saw earlier, Patty has herself chosen "ambition" over motherhood by inducing a late-term abortion, which we learn about at the end of the third season. By placing this monumental event later chronologically, it does not acquire all the force of a primal scene. Procreation, in other words, does not define Patty's life. Also out of sync with the "natural" reproductive order, she has a son later in life, though we see nothing of his birth or childhood. Not surprisingly, Patty struggles to dedicate herself to him. She notes that he "came out of [her] perfectly healthy, . . . but [she's] not a good mother." In fact, she doesn't even have the language to talk about his demands in maternal terms. "Kids are like clients," Patty argues, because "they want all of you, all the time." When a reverse shot makes Ellen appear semi-scandalized by this line of thinking, Patty pushes further. She suggests that loving one's child is not the most significant maternal gesture. Biological bonds guarantee instantaneous love. "What you do after that's the hard part," Patty concludes. The hard part for Patty is that she does not have the desire to put Michael ahead of her career.

Nor does she hesitate to order Ellen's murder. Over the course of the first season, Ellen becomes her protégée as well as a confidante. Given the way Ellen coaxes Katie into testifying against Frobisher, she could be another Patty in the making. But when she expresses regret for blackmailing and contributing to the suicide of Ray Fiske, Patty asks Uncle Pete (Tom Aldredge) to get rid of her. Ellen survives, and the moment she flees her attacker becomes our point of entry into the show. If she stands in as Ellen's maternal figure, Patty is clearly not the nurturing mother of the traditional maternal melodrama. On the surface, she would seem to be the virtual antithesis of the self-sacrificing good mother. Linda Seidel calls her a "monstrous mother," who "arrogates to herself the power of life and death *as a mother*."[89] This argument echoes Frobisher's claim that Patty is "the kind of woman who eats her young" ("All that Crap about Your Family," 3.11). It is this maternal violence that connects Ellen to baby Julia's death, and it is only during these moments that Patty portrays motherhood as anything other than a business transaction. When she believes (inaccurately) that Ellen has been killed, she shakes violently. Right afterward she visits Julia's grave for the first time in thirty-five years and kneels by the gravestone marking the day of her birth and death: May 24, 1972. There too she weeps uncontrollably, seemingly overtaken by maternal grief. These are the only times when the show overtly submits to eruptions of pathos. But these moments are not assertions of Patty's guilt or failure as a mother. Nor do they function as resolutions, as they might in typical maternal melodramas, because there is no way to resolve the matter of motherhood.

Damages leaves the idea of maternity unsettled by undermining the distinction between good and bad mothers. Conventional maternal melodramas seem to align motherhood with self-sacrifice. When Mildred Pierce realizes that Veda has lied about being pregnant in order to squeeze $10,000 out of her affluent husband's family, she becomes livid. Though she has surrendered her will to Veda's wishes for most of the film, she orders her daughter to leave her house. And then she screams, "Get out before I kill you." The mother who would help her daughter hide a murder also threatens to murder her. If traditional maternal melodramas such as *Mildred Pierce* hint at the mothers' resistance to expectations of self-sacrifice, more recent versions of the genre make that critique more explicit. In Joe Roth's *Freedomland* (2006), Brenda (Julianne Moore) gives her son Cody (Marlon Sherman) cough syrup, so he can sleep while she visits her lover. But Cody overdoses; though Brenda is charged with criminal

negligence, the involuntary killing of her son is not merely condemned. Instead, the film offers a sympathetic portrait of a woman unable to sacrifice her sexual desire for the sake of her son. *Damages* pushes this critique of maternal martyrdom further, for Patty Hewes is not required to be self-effacing. The series appears to underscore Simone de Beauvoir's proposition that "maternal love has nothing natural about it."[90] That is why the relationship between Patty and Ellen is conflicted, even paradoxical. It is true that Patty tries to have Ellen killed. But it is also true that she pushes Ellen to find herself, as an attorney and eventually as a mother. Though she is no nurturing Madonna, Patty is also not the mythical monster Medea. When her court-ordered therapist (Fisher Stevens) wonders whom she might confide in, she volunteers that there is "a woman who used to work for me." And yet she refuses to elaborate when he claims that maybe she "see[s] something in her," as if qualifying her relationship with Ellen positively may be damaging. When Ellen tells Patty about taking on High Star, a private military security firm, by herself, Patty tries to dissuade her. But while they're having dinner together at a restaurant, some hooligans bang on the open window to scare Ellen, screaming "Don't make us bring the war to you, bitch." Though the threat is directed at Ellen, both women are equally startled, and we cut to Patty bringing Ellen a stiff drink at her apartment. After that attempt at intimidation, she pledges to help Ellen sue High Star for conducting unsanctioned fatal missions in Afghanistan ("I've Done Way Too Much for This Girl," 4.2). By complicating the role of the mother, the series underscores—even if Ellen doesn't realize it—that "the woman who tries to kill her . . . also teaches her how to survive."[91] Unlike her biological mother or her foster mother, who love her as a person but don't fully understand her aspirations, Patty is a surrogate mother whose affection is rooted in her ambition for Ellen. Not only does Patty refuse to suppress her own professional desires; she also encourages her daughter not to. But it is precisely these competing desires that Ellen challenges.

That is why their repeated confrontations represent contestations of the very notion of motherhood. After the High Star case ends, Patty and Ellen meet by the Hudson River. As the Statue of Liberty looms large in the background, Patty argues that a woman cannot be "successful and nice," cannot be a mother and a lawyer. Ellen refutes this argument, claiming Patty may not have, but she can try ("Failure Is Lonely," 4.10). Patty offers her hand as a gesture of reconciliation, seeing Ellen as "a woman who could step into [her]

shoes, take over the reins someday." When Ellen refuses, she infantilizes her, calling her "an ungrateful child" who is "in for a very rude awakening." In turn, Ellen accuses Patty of prioritizing work over people in such a way that she has no attention for anything other than her next case, echoing Michael's accusation that "people either leave [her] or they die" ("Look What He Dug Up This Time," 2.12). Ellen believes she is different from—and better than—her surrogate mother. As a daughter, she magnifies the chasm between them, as the mother tries to minimize it. When they go to Maine to depose an expert witness in the McClaren case, they are stranded during a snowstorm, waiting for Patty's private flight back to New York. They are the only travelers at this tiny airport, which does not seem large enough to contain them ("The Storm's Moving In," 5.7). What cannot be done in an actual courtroom occurs in the space of this empty airport. Patty directs their conversation toward their fathers. Ellen calls her father "a tyrant," and Patty calls hers "an angry bully." Patty's father leaves the family and causes irreparable harm; Ellen's father stays and hurts them just as much. But when Patty insists on their similarities, Ellen objects. She also resents Patty's line of argument that there is some kind of bond keeping them together. When Patty notes that they are "alone in an airport, still together," Ellen calls her "fucking crazy," insisting that they are on opposite sides of the law and of motherhood, as symbolized by Catherine's custody case. For Ellen, that case—and their relationship by extension—is unambiguous: Patty is an unfit mother. As we have seen, however, the series does not condemn Patty absolutely. Rather, it raises the potential for what E. Ann Kaplan calls "a radically transformed family," where work and motherhood can be combined.[92] Patty may have rejected the obligations of reproductive time, but she does not snub motherhood entirely. Even the Channing McClaren case, where Patty and Ellen confront each other in court, is about more than the law for Patty. She makes sure McClaren hires Ellen before suing him for the murder of Naomi Walling. When they finally face off for a third time in front of Judge Gearheart, right before her opening statement, Patty learns that her chief witness, McClaren's deputy Rutger Simon (John Hannah), has been killed. Before the trial officially begins, she admits failure and withdraws the case ("But You Don't Do that Anymore," 5.10). When they meet by her lake house, as they have near the end of almost every season, Patty assures Ellen that that case was not about winning as much as about the opportunity of going up against Ellen, of seeing "what [she's] made of." She seems genuinely pleased with Ellen for being aggressive and triumphing over her, and she hopes they will take each other on

again someday. Ellen walks silently away from Patty, as she has before, while Patty looks on from the end of the pier, beaming like a proud mother. If the series had ended here, we could interpret this ending as Patty's version of justice and of motherhood being validated. In generic terms, it might have also appeared to reject the conflicts of the traditional maternal melodrama.

But the series continues. A hard intertitle announces the ambiguous timing of the final sequence: "a few years from now." Patty walks into a store and notices a little girl (Samantha Burger) running about; the girl rushes over to her mother. When she turns around, we realize alongside Patty that the girl's mother is Ellen. Their eyes meet, but Ellen quickly turns away. Cut to Patty back in her car, instructing her driver to take her home. But before she can leave, there's a knocking, and she rolls her window down to find Ellen waiting outside. Haltingly, Ellen expresses gratitude "for everything" and then introduces Patty to her daughter. Patty starts glowing, as her eyes look up from Ellen's daughter to Ellen. Another cut to the car interior suggests that this exchange has not actually occurred, as Ellen is still at the store. Patty changes her mind and wants to return to her office. The remainder of the scene consists of cross-cutting between shots of Patty riding silently in the backseat and Ellen and her daughter walking hand in hand down the street, ultimately settling on Patty's face in her car until the cut to the closing credits. This sequence demonstrates how the legal, temporal, and maternal regimes overlap and undermine each other.

In legal dramas, the conclusion typically works to uphold or restore the law of the father. In *Class Action*, for instance, in the face-off between Maggie and Jed Ward, the jury returns in favor of the class. But Maggie has been ambivalent about her role in defending the car manufacturer; she even calls herself "a professional killer" for her aggressive defense strategy. Therefore, her loss is presented as a victory for justice. Moreover, it leads her to reconcile with her father, who is proven to be right after all. As if to atone for daring to go up against the father, Maggie forgives his personal abuses against her mother Estelle (Joanna Merlin), whose untimely death serves as a catalyst for their reunion. In their reconciliation, she accepts again his paternal and legal authority over her. Though *Damages* borrows the edifice of the legal drama, as mentioned earlier, it does not carry its outcomes. In fact, even before the future-tense ending with Ellen, Patty Hewes visits her abusive father Lyle Hewes (M. Emmet Walsh) on his deathbed to reject any possibility of

reconciliation. She reminds him of his brutality and terror, of his drunken outbursts and her fear of him as a child. She argues against forgiveness or mercy for him. For two whole minutes, the camera holds near-still on her wrathful countenance. This long take enables Patty to register her deep and enduring hatred for her father—and, by extension, for paternal authority. On his deathbed, she exerts moral as well as legal power over him, asserting that "mama didn't judge [him,] but [she] will." This scene is not only about her hostility toward an abusive father but also about the way the law has allowed him to get away with his abuses. In his critique of legal formalism, Jerome Frank had argued that the belief in legal impartiality comes from a "childish desire to have a fixed father-controlled universe, free of chance and error due to human fallibility."[93] Even though postmodern theory has undermined this faith in legal certainty, the connection between the law and paternal authority has persisted. The law of the father continues to exert legal and temporal authority, which is exactly what Patty Hewes has worked deliberately to undo. That is why she cannot forgive her father, like Maggie does hers in *Class Action*, or have any kind of reconciliation between them.

There is no resolving her relationship with Ellen either—because the series does not substitute (Patty's) maternal authority for paternal authority. Just as Patty rejects the law of the father, Ellen rebuffs the law of Patty-as-mentor/mother. In terms of the actual legal drama, the series ends when Patty loses the McClaren case. She apologizes publicly for failing to "get justice for [her] client." Patty's loss, however, does not settle her conflict with Ellen, who continues to seek some sort of justice for the primal crime, her attempted murder. She hopes that resolution can be achieved by defeating Patty in Michael's custody case against his mother. But, in a cruel twist of fate, Michael is killed in Ellen's office by her former assailant, Patrick Scully (Jeff Binder). So, Ellen's desire for a just legal settlement remains unmet. She abandons her quest after Michael's death, letting go of a bagful of evidence against Patty because "prison couldn't possibly be worse than losing a child." But maybe her quitting the law can be read as revenge? When they walk down the street together at the end, Ellen clarifies to her daughter that she used to know "that lady" when she was a lawyer. Lest we are wondering, the daughter clarifies: "You don't do that anymore." *Not doing that anymore* is literally about not practicing law. But, in opposition to the conventional legal drama, it could also imply that Ellen doesn't follow in Patty's footsteps or comply with her legal authority anymore.

If we analyze this ending in relation to the puzzle film, however, we might question whether it truly confirms that break, because the ending appears less like a realistic conclusion and more like a self-reflexive coda. It is similar to the ending of Christopher Nolan's *Inception* (2010), where Dom Cobb (Leonardo DiCaprio), a corporate espionage agent who extracts vital information from people's unconscious by accessing a shared dream world, returns home to Los Angeles and embraces his children. The film has shifted back and forth between the dream and real worlds, so this happy ending appears suspicious. But Dom spins his totem, a spinning top that spins infinitely in the dream world but wobbles and topples in the real world, to check the status of his world. The final shot stays with the spinning top, but before we know whether it keeps spinning or falls, the film cuts to black. Though many critics have fought over whether Dom is in the dream world or the real world, Todd McGowan suggests that this is a false query. "Whereas *The Matrix* deceives spectators about the reality of the world that they initially see," McGowan argues, "*Inception* deceives spectators with the very question of the reality of the world."[94] By letting the top keep spinning, it shows how "social reality . . . is not simply real."[95] That is, in its indeterminate ending, Nolan's film undermines the binaristic division between the real world and the dream world, demonstrating that both are constructs of the human imagination.

Similarly, the coda in *Damages* destabilizes the linear movement from the "fantasy" of reconciliation to the "reality" of estrangement between Patty and Ellen. For one thing, this entire sequence is set off from the narrative that precedes it. The intertitle, "a few years from now," suggests that it takes place at an indefinite future time. Given that the majority of *Damages*'s intertitles have been obsessively focused on the temporal gaps between scenes—six months earlier, two weeks earlier, and so on—this particular conception of time seems out of character. "A few years from now" is set in a vague time, deferred impossibly into the future. Toni Pape has argued that the series relies on moving inexorably toward the future that opens each season. It cannot help but head toward, say, Ellen being attacked in Patty's apartment or Patty being hit by a car. In that sense, "the future has already happened," and "the narrative must lead to the foretold future."[96] Though the series contains enough plot twists to make it hard to impose a linear narrative progression over all its events, I would agree that its future-tense cold opens guide its momentum. However, this coda is not narratively anticipated; it does not appear at the start of the final season. To rephrase Pape's argument, this particular

future has not already happened. And, we might add, it may never happen. Moreover, the two women keep moving. Patty returns to work in her car, and Ellen and her daughter keep walking down the street. Though Patty and Ellen are literally heading in different directions, the sequence visually suggests that it is possible for them to run into each other. If we recall the endings of earlier seasons, we could interpret this moment as symbolic of the push and pull of their relationship, where Patty and Ellen neither reconcile nor fully separate. Is the series holding out the potential for a different future than the one onscreen—and the one traditionally scripted for mothers and daughters?

The final moments expand upon the maternal melodrama, especially the ending of *Stella Dallas*. After realizing that her daughter Laurel wishes to have her father's wealth and social status, Stella pretends to want to be "something else besides a mother." She surreptitiously witnesses Laurel's big wedding like a common passer-by, through a window, which turns into a screen, portraying the exigencies of reproduction that she herself has rejected. Stanley Cavell argues that Stella realizes "that the world Laurel apparently desires—of law, church, exclusiveness, belonging—is not to her own taste."[97] Her walking away is a rejection of this world instead of the other way around. Rather than an instance of maternal self-effacement, this scene enables Stella's self-actualization. *Damages* reconstructs this moment. Like Stella, Patty observes Ellen, but her car window, which can be read as a screen, offers a fantasy that is portrayed *as fantasy*. The series then returns to Patty, who becomes, as a maternal figure, not only "a shadowy place of origin" but also "an infinite process of future becoming."[98] Instead of raising Ellen into the law and then sacrificing herself, she does not retreat into the past. By rebuffing the laws of reproduction, Patty creates the possibility of an alternative time/lifeline for motherhood. Unlike Stella, when she asks her driver to take her back to the office, she could well be heading to the Supreme Court. For earlier in the season, she has been courted for the Court. And given that opportunity, there is every reason to believe she would seize it. At the same time, the scene is not free of the pathos generated by her lonely figure. Figures 3.1 and 3.2 capture these gestures of ambiguous loneliness, as their faces change ever so slightly. Stella's lips are parting to reveal a smile. Perhaps Patty's will too? In a recurring nightmare earlier, Patty imagines her granddaughter Catherine Hewes spurning her attentions. "You're not my mommy," Catherine screams; "you're nobody's mommy." This is not the insult that it might have been in a conventional maternal melodrama.

Figure 3.1. *Stella Dallas* (King Vidor, 1937)

Figure 3.2. *Damages* (Daniel Zelman, Glenn Kessler, and Todd A. Kessler, 2007–12)

By piling up multiple genres—sometimes imitating, at other times undermining them—*Damages* shows how television dramas take after cinema. They do not merely duplicate individual generic conventions. Rather, they demonstrate how the notion of genre pivots on the idea of resemblance. This

conception of genre can be linked back to Ludwig Wittgenstein's notion of family resemblance. Just as family members have a series of intersecting features in common rather than a single shared characteristic, Wittgenstein argues, entities in any group or collection are connected by a series of intertwining similarities. He uses the metaphor of spinning thread by "twist[ing] fibre on fibre" to visualize this intertwining relationship, where "the strength of the thread does not reside in the fact that some one fibre runs through its whole length, but in the overlapping of many fibres."[99] This crisscrossing of fibers allows us to imagine the ways in which generic elements blend and intermingle and overlap. If we follow the twists and turns of the varied generic fibers in any text, we can unravel their interconnections. It shouldn't be surprising that this understanding of generic hybridity as overlap returns us to one of the founding delineations of intertextuality itself. Recall that Barthes emphasizes "the *stereographic plurality* of [a text's] weave of signifiers."[100] And he urges readers to disentangle those woven threads rather than decipher a text's "true" meaning or point of origin. Far from being diametrically opposed, genre and intertextuality are actually closely related. Far from being merely a classificatory framework, genre too can be seen as a theory of intersection and entanglement, enabling us to analyze a range of overlapping affinities. And unraveling diverse generic overlaps enables us to think about affinities among texts that are not overtly related. In this chapter, we have seen how intertextuality enables us to analyze textual kinships. Could it also be utilized to explore an antagonistic intertextual relationship? That is what the final chapter will focus on, by rethinking the idea of parody.