

Martin Dworkin

THE JUSTICE OF ORDINARY JUSTICE

UNJUST ACCUSATION AND PUNISHMENT is a perennial terror for the law-abiding—and hence a traditional, and now an especially provocative theme for melodrama. Perhaps it is a sign that the fearsome is becoming secularized, with all the ends and means of man, as the state continues to acquire the attributes of deity and devil—comprising, as it were, a Manichaeian mutuality of opposing salvatory happinesses and damning subjections. The blind impersonality of justice—the splendid objectivity that without wisdom and humanity becomes tyranny—takes on, as Kafka illustrates, the old gooseflesh chill of ghosts and other supernatural agencies in the new tales of horror. Spooks were terrifying when they were believed to exist. Today, in a minute world within a cosmos that is no longer mysterious, but only vastly problematical, the monsters of the most elaborate imaginings are tamed to entertainment by their presumptive absurdity. It is the ordinary that is most frightening, and the terrible ways of men most mysterious, as they are infinitely ordinary. And a case of ordinary justice—impersonal institutionalism concentrated upon the single person, alone and irreducibly separate—may focus the terrors of the ordinary to pinpoint heat.

A case of ordinary justice, recreated according to the techniques of a scrupulous realism, is what Alfred Hitchcock presents in *The Wrong Man*. Speaking a foreword in the manner of his television series, Hitchcock prepares the audience for an innovation in his long career as master of suspense melodramas. Unlike his other films, he says, this one tells a story that is true, “every word of it”, but it “contains elements stranger than any” he has ever offered. The device of the foreword, with Hitchcock’s shadowed figure standing in the darkened emptiness of a great terminal, may be a little too elegant, in line with the self-conscious superciliousness he had carefully cultivated in making himself a trademark for his products. In a way, however, the device is justified by the very expectations we have of what

a Hitchcock film will purpose and achieve. It is necessary to make clear that the story to be told is true, as the manner of its telling is so superbly realistic that we are likely to admire it as but one more demonstration of a master storyteller's consummate facility. More than this, it is worth emphasizing that *The Wrong Man* is a different kind of Hitchcock movie. In thirty years of making thrillers such as *Blackmail*, *The Thirty-Nine Steps*, *The Lady Vanishes*, *Shadow of a Doubt*, *Rope*, *Rear Window*, *To Catch a Thief*, *The Trouble with Harry*, and *The Man Who Knew Too Much* (two versions), suspense is here created, for the first time, not for its own sake, to excruciate for pleasure, but to involve us in a drama that is deeply disturbing, and meaningful. (*North By Northwest* and *Psycho* have resumed the formula.)

A case of ordinary justice, in which an ordinary man is enmeshed in a web of ordinary circumstances, may eventuate in such extraordinary injustice that ordinary principles are brought into searching question. In *The Wrong Man* we enter the life of a sober, hard-working musician who was mistakenly identified as a robber six years ago in New York City. The circumstances of his life, and their invasion and dislocation by the procedures of the law, are meticulously portrayed, with such art that the ordinary achieves a frightening generality. Attention to details has always been a signal characteristic of Hitchcock's style. But he has ever been the weaver of elaborate narrative trceries in which details provided a background filigree of credibility for the meshing of convenient coincidences. Here his purpose is to recreate the truth, in the order and particularity of its occurrence, and he depicts details with an exacting realism, so that what happens is not wholly believable, but personally shocking. The detailed realism establishes the otherness of the man, his uniqueness—while simultaneously impressing that his case could be anyone's. The viewer is not titillated by vicarious thrills, the more delicious because they are so surely imaginary. He observes what has happened to another, in all its particulars, and knows it could happen to himself. Deliberate symbolism is eschewed, as is essential to true realism. The individual is not created to metaphorically represent the typical, but actually personifies the universal inherent in each particular, according to our concern.

The film unfolds in the straight line of the events as they happened. The camera almost never sees anything that could not be visible to the principals. The streets, subways, stores, houses, offices, courtrooms, and jails of the city appear as they are, not as studio reconstructions. For one thing, the sense of space in the home of the accused man is that of an actual house of such modesty that it thereby adds to the feeling of ordinary circumstances closing in. The entanglement which

begins to weave inexorably about innocent, unknowing people is not contrived of coincidences, fictively appropriate, but of the truly fortuitous, with the mad consistency of the absurd.

The awakening of the musician (played by Henry Fonda) to the reality of what is happening to him has the true unreality of the waking nightmare in which we find ourselves at times of crisis. The sequence of his being booked, fingerprinted, and placed in jail builds to tremendous force, until we know, ourselves, what it is to be imprisoned. The gradual breakdown of his wife (Vera Miles) is one of the most accurate, convincing representations of insanity to appear in the theatrical film. The hysterical certainty of the musician's accusers, which so easily shifts to the real robber when he is luckily discovered, is so credibly portrayed that we find ourselves personally outraged—as we should be always in the face of injustice. The workmanlike, matter-of-fact operations of the police, the courts, and the jails are impeccably represented, under the for-once-followed guidance of technical advisers: a retired police officer and a district attorney who actually dealt with the case. The detectives' reiterated assurance, "An innocent man has nothing to fear", rings with chilling irony in our ears, as we observe the contingency of the necessarily impersonal procedures for fixing innocence and guilt.

Hitchcock has always asserted his belief in happy endings for his films—although his television series of short thrillers has been less considerate of audience sentimentalism, perhaps because people are thought to be somehow tougher in their own living-rooms than in theatres. *The Wrong Man* does not end in the burst of romantic catharsis which he has consistently provided after punishing the audience for its own entertainment. The musician's innocence is established. But the price innocence has had to pay for its recognition is indelibly marked, when the close of the film, depicting actuality, shows his wife still under treatment in a mental institution, and only a printed afterword states that she returned to her family after two years.

Careful preparation for what is to be created during shooting and given final form during editing is regarded by Hitchcock as vital to his technique. He told questioners at the *Cinema 16* film group in New York that he believes in planning every detail, and stated his contempt for those film makers who do not know what will appear on the film until they see daily rushes—or even the final version in the theatre. After a good memory, the most important thing for a director to have, he said, is a clear conception of what his film is all about. This insistence upon conceptual clarity, and the painstaking preparation for its expression, may be

seen in every moment of *The Wrong Man*—incidentally illustrating the vital necessity for thought and care in using the realistic style, as is not understood by those who believe realism to be merely the spontaneous capture of fixed actuality.

The clarity of the film derives first of all from a screen play, by Maxwell Anderson and Angus MacPhail, of remarkable concision and eloquence of understatement. The editing by George Tomasini (and, of course, Hitchcock) produces a trenchantly economical, deceptively simple re-creation of the facts. Each sequence develops not from a viewpoint of rhetorical omniscience, but, like the starkly incisive photography of Robert Burks, knows what can be known by the people involved—thereby involving the audience with intimate accuracy. Like all the elements of the film, the musical score by Bernard Herrmann is succinctly emphatic, providing punctuation and emotive colour without being obtrusive—a sign, too, that the other elements are integrally successful, and do not require a masquerade of screen music to lend them significance.

Above all, the conception and execution demonstrates Hitchcock's amazing fluency in film, which before so regularly exhausted the vocabulary of the merely sensational that he deliberately set himself progressively difficult exercises to maintain his own interest—such as the long takes with a single camera he used in *Rope*. Hitchcock has made a point of ignoring criticisms of his thematic superficiality. "I do hope you've suffered this evening," he told *Cinema 16*, after a preview of his remade *The Man Who Knew Too Much*. By "suffering" he meant being entertained by spiralling suspense, to the limit of toleration. He consciously did not try for the sublime, the profound, or the socially critical—except as he satirized manners, or had occasional fun with notions of law and order, and the dignity and efficiency of the police. "I prefer to go for effects, rather than explanations," he asserted. In *The Wrong Man*, he does not simply exercise his fluency for virtuoso effects, but has something serious to say about things that he has treated lightly before—and reveals the fruition of all the ingredients of his style by speaking the truth with such art that it speaks with awesome fluency for itself.

By contrast, *Three Brave Men*, also about a true case of unjust accusation and the sufferings of innocence, does not allow the truth to speak for itself but calls upon oratory in its behalf. Significantly, the case it treats is not one of a man accused of robbery, or murder, or any traditional felony. Here ordinary circumstances also become meshes in a web around an ordinary man. But they are spun according to extraordinary justice, functioning to ward off the new, quintessentially modern menaces to society: ideological disloyalty and unreliability.

The case is one of the most famous of those arising from security procedures in the United States federal government, involving a loyal, capable employee of the Navy Department in Washington who was summarily dismissed as a security risk in 1953, on flimsy, yet virtually undisprovable grounds. The story of his battle to prove the charges to be ridiculous and to show that personal prejudice apparently motivated his unnamed accusers, and of his agony during almost two years of unwilling unemployment, while security hearing-boards cleared him and the preservative tortuousness of anonymous bureaucracy denied him reinstatement, could make the drama at least as arresting as that of the unlucky musician in *The Wrong Man*—and far more topically significant. The film, however, while using “documentary” techniques, does not achieve a convincing realism. And, while it carefully states the dangers of Communist infiltration against which the security procedures are designed, and depicts how the functioning of the latter can result in profound injustice, it leaves many vital questions which arise unanswered, and the most serious ones unasked.

This outcome may be inherent in the film’s fundamentally diffused purposes. Based upon a series of magazine articles for which Anthony Lewis won the Pulitzer Prize, and written and directed by Philip Dunne, *Three Brave Men* desires, first of all, to dramatize the struggle of one man against governmental injustice. But the injustice is never represented as such, as the film simultaneously wishes to defend and acclaim the security program, on the ground of the severity of the Communist challenge. This is all very well: the government’s problems are undeniably enormous, and it is possible to make a critical evaluation which takes them into account, while insisting upon the individual’s right to justice. But *Three Brave Men* adopts a manner of self-conscious, hortatory patriotism in which the individual is submerged and the real issues dissolved in a reassuringly sanctimonious happy ending.

The fact is stressed that the case was one of the earliest under the “new” security program, and had no precedents against which to measure defects. But the crucial precedents of the application of traditional rules of evidence to the “patterns” of risky actions, the naming and submission to cross-examination of accusers, the taking of testimony under oath, the relevance and propriety of hearsay, and the presumption of innocence until guilt is proven, are simply evaded as surely unnecessary when “security” is at stake. In *The Wrong Man*, the entire drama developed out of the contingency of even these safeguards upon justice to the individual, and it was made plain that only a miraculous chance intervened to save a man from unjust imprisonment. Here safeguards are replaced by reassurances that the government is

great and good, after all, and that the individual ought to just have faith and patience for the faults to be ironed out to happy perfection.

Ernest Borgnine as the embattled civil servant, Ray Milland as the lawyer, and Virginia Christine as his wife, give capable performances. But many of the other actors appear as conscious types, in line with an unfortunate tendency of the film to give many of the true aspects of the case a varnish of symbolism. The rallying of the community behind the innocent man, the encouragement given him by a Presbyterian minister (although he is Jewish), the testimony on his behalf by a man who had been his bitterest opponent in community affairs, all may have elements of truth. But they are overdrawn and overstressed, and embedded in rhetoric. We cannot believe that it all really happened just this way, and cannot be disturbed, as we ought to be—except inversely, by the film's fundamental complacency.

Not surprisingly, the most effective things in *Three Brave Men* are simple details—such as the description of how easy it is for the man to clear his desk of his personal effects (under the scrutiny of a Naval security officer) and be shunted out of a place where he has worked for more than twenty years. As throughout *The Wrong Man*, it is in the vividly delineated particulars that we establish our recognition of our own involvement: our concern with the theme of the justice of justice in the ordinary, individual instance that might be our own.