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Imperfect Justice: Fritz Lang's *Fury* (1936) and Cinema's Use of the Trial Form

Stella Bruzzi*

Upon leaving Nazi Germany, director Fritz Lang arrived in the US in June 1934. Lang dwelt on the twinned themes of justice and the law on several occasions, both before and after his arrival in Hollywood, and his preoccupation with the law manifests itself in his films in a variety of ways. A number of them, for instance, contain trials and pseudo-trials. In *M* (1931), Lang's last German film, the paedophile Beckert (played by fellow German and émigré Peter Lorre) is tracked down and caught not by the ineffectual police but by the local community, who then bring him before their hastily convened kangaroo court, before which he is charged and found guilty. A trial also features in *Fury* (1936), *Secret Beyond the Door* (1948) and *Beyond a Reasonable Doubt* (1956), this last film being Lang's most notable—but unconvincingly schematic—examination of the limitations, as he saw it, of the official judicial system. Lang's Hollywood career spanned several genres, but his recurrent obsession with differing and frequently conflicting notions of personal and institutional justice never left him and was evident not just in the trial films, but also in works as ostensibly diverse and chronologically dispersed as *Dr Mabuse: The Gambler* (1922), *You Only Live Once* (1937), *Rancho Notorious* (1952) and *The Big Heat* (1953). The judicial system, in the cinema of Fritz Lang, is not to be trusted. Instead, it is revealed as ineffectual, wayward and capricious; invested with considerable authority, it actually possesses very little. This is exemplified by the significant role played by chance in various films (most obviously *Fury*, *The Blue Gardenia* (1953) and *Beyond a Reasonable Doubt*), suggesting that any victory over

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or exposure of injustice, for example, is fortuitous and hollow rather than the result of a fully functioning and effective legal system. Whether or not these justice-centred films conclude with right triumphing over wrong has little or nothing to do with the competence of the institutions of law. Lang's focus on the fragility of the legal system stands in direct contrast to the normative Hollywood impulse to believe unquestioningly in American justice, and in this his films are closer to fellow-émigré Otto Preminger's *Anatomy of a Murder* (1959) than to more conventional Hollywood trial films of the studio era such as *Inherit the Wind* (Stanley Kramer, 1960) *Twelve Angry Men* (Sidney Lumet, 1957) or *To Kill a Mockingbird* (Robert Mulligan, 1962). For the majority of Hollywood courtroom dramas, the courts, as articulated by Harper Lee's Atticus Finch in *To Kill a Mockingbird*, are the 'great levellers'; they embody and uphold the rights of the individual. They do not, as they frequently do in Lang, thwart and contradict ideas of personal and social justice.

I am motivated for two reasons to return to Fritz Lang and to discuss one of his law-centred films in some detail. First, the community of legal scholars who have written about or are researching films about the law would undoubtedly find his uncompromising, critical portrayals of the law relevant and interesting; secondly, Lang offers a significant and inspirational alternative to the majority of Hollywood courtroom dramas, most of which offer simpler and more positively patriotic views of the law and how it functions. It is refreshing to be able to demonstrate that, even within the context of mainstream films funded by the major Hollywood studios, it was still possible to engage in a serious critique of the same legal systems that many other films sought resolutely to uphold. Tom Gunning touches on the vital question of working within the constraints of the Hollywood studio system and argues that, although there is little question that Lang was 'hampered' by the different conditions

he found himself working under—namely the ‘increased division of labour in the Hollywood studio and the different responsibilities and degree of control given to the director’, his authorship was nevertheless evident in his Hollywood *oeuvre* ‘precisely because it cannot assert itself directly’.¹

To a film scholar interested in cinema’s use of the trial and courtroom forms, Fritz Lang would seem to be a pivotal figure; however, it is immediately striking to note that, to *legal* scholars who have written about and researched courtroom and trial films, Lang has conversely become a peripheral one. Lang does not even feature in the index of Greenfield *et al*’s *Film and the Law* (2001), Harris’s *Courtroom’s Finest Hour in American Cinema* (1987) or Levi’s *The Celluloid Courtroom* (2005). In *Reel Justice* (1996), Bergman and Asimow dedicate a handful of pages to *Fury* in their chapter on ‘Circumstantial Evidence’, a section that also includes a brief discussion of *Beyond a Reasonable Doubt*. Elsewhere, under ‘Unusual Judges and Jurors’, they mention *M*. And Kathy Laster in *The Drama of the Courtroom* (2000) offers swift plot synopses of *Fury* (which she has not managed to see) and *M* (which she has seen), but does not even mention *Beyond a Reasonable Doubt*.

If Lang does not impinge much on law and film scholarship, then what does? Perhaps the main preoccupation that most obviously underpins the more widely available law studies contributions to the field is the issue of genre and the related question of classification and typology. While Harris, one of the earlier writers on legal films, examines a handful of important individual Hollywood movies in some detail (*12 Angry Men*, *Witness for the Prosecution*, *I Want to Live!*, *Compulsion*, *Anatomy of a Murder*, *Inherit the Wind*, *Judgement at Nuremberg*, *The Verdict*), most other critics

¹ Tom Gunning, *The Films of Fritz Lang: Allegories of Vision and Modernity* (BFI Publishing, 2000) 204.

group them. The style of Bergman and Asimow's *Reel Justice* is to place films within fairly broad categories ('The Story you are about to see is true ...'; 'Men in uniform'; 'It's nothing but a bunch of circumstantial evidence'; 'Unusual judges and jurors') and then, within these, to dedicate some three to five pages on each film under the sub-headings 'Story', 'Legal analysis', 'Trial brief', when specific *legal* issues and questions from the film are identified and discussed. Greenfield *et al* assert their 'primary interest' to be, like Harris, to provide 'a detailed analysis of the films we have selected'; they see themselves as bringing to their project both a legal background and 'a significant history of watching and attempting to categorise law films' with a view to using this expertise 'to construct a typology of "law films" rather than note that issues of justice can occur in the most unlikely vehicles'.² With this approach it becomes self-evident that the relationship between films and the law—film's potential to be useful to or reflect the law—is prioritised to film *as* film. There are few discussions of film style or *mise-en-scène* in law-centred analyses of legal films, which is one factor that marks this article out from many other extended discussions of individual texts. The genre of the legal film, courtroom drama or whatever term critics offer up (and nomenclature becomes at times a particularly thorny issue) is thus seen in direct relation to the law outside cinema, the 'real' law, as opposed to the 'reel' law, if you like. This, in some instances, becomes problematic, as when Levi asserts:³

Perhaps the most relevant criteria [*sic*] for deciding how to define the genre of legal cinema is whether a film has something to say about the way Americans view their

² Steve Greenfield, Guy Osborn and Peter Robson, *Film and the Law* (Cavendish, 2001) 29.

³ Ross D Levi, *The Celluloid Courtroom: A History of Legal Cinema* (Praeger, 2005) xiv.

legal system and the players within it. While moviegoers rely on genre to choose their entertainment, the main importance of genre to critics and scholars is what the genre and its evolution say about society.

I am not at all sure one can define a genre in this way, but this mode of classification is nevertheless useful for what it reveals about how many law and film scholars prioritise social relevance in cinema.

At stake here, as I see it, is the realisation that the field of legal cinema has largely been discussed, developed and refined outside of film studies rather than from within it. There are, as always, exceptions to this, such as Carol Clover's work on jurors in film,⁴ or my own unpublished thesis on the political use of trials in film, theatre and television,⁵ or the notable discussions of individual films that happen to feature the courts and the law. Sustained discussions of legal film within cinema studies there are not, a fact that motivated Thomas Harris in 1987 to write *The Courtroom's Finest Hour in American Cinema*. Harris comments, 'I was amazed to discover that the subject of courtroom cinema has not even been touched in the thirty-odd years since film scholarship began to be taken seriously in this country and abroad'.⁶ In 2000, Laster hypothesises why this might be when she quips that 'Serious scholars and teachers do not readily admit that the clichéd characters and melodramatic plots of

⁴ See Carol J Clover, 'Judging Audiences: The Case of the Trial Movie' in Christine Gledhill and Linda Williams (eds), *Reinventing Film Studies* (Arnold, 2000) 244–64.

⁵ Stella Bruzzi, 'Trial and Error: The Political Use of Trials in Film, Theatre and Television', PhD thesis (awarded 1993), University of Bristol.

⁶ Thomas J Harris, *Courtroom's Finest Hour in American Cinema* (Scarecrow Press, 1987) xii.

most courtroom films are anything more than, at best, a guilty diversion',⁷ thereby raising one of the thorniest issues of law and film, namely that it always seems to be the more prosaic and stereotypical courtroom films that come most readily to mind. Most viewers, Laster continues, will not admit their habit (because the films are not perceived to be of high aesthetic value), and so the justification for studying legal films becomes the fact that 'the popularity of the film courtroom is an intriguing social phenomenon which demands better explanation'.⁸ This question of critical obscurity vs cultural significance also intrigues Levi, who claims: 'When a film lover is asked to identify a favorite type of film, the genre of legal cinema is likely to go completely unmentioned.'⁹ The relative obscurity in academic literature of the topic becomes Levi's rationale for writing *The Celluloid Courtroom*, but he then goes on to raise the issue of cultural value when citing the interesting statistic that, in the American Film Institute's 2003 survey of cinematic heroes and villains, five of the 50 greatest heroes were figures in the legal system, second only to detectives and other law enforcers, and that Atticus Finch was voted the number one hero, his character having been judged to have 'made a mark on American society in matters of style and substance'.¹⁰

An intrinsic component of the legal film's cultural importance is identified as being its usefulness as a teaching tool. Greenfield *et al* open *Film and the Law* with the observation that 'perhaps the most obvious use of film in the study of law is as an

⁷ Kathy Laster (with Krista Breckweg and John King), *The Drama of the Courtroom* (Federation Press, 2000) 1.

⁸ *Ibid.*

⁹ Levi (n 3) xi.

¹⁰ *Ibid.*, xii.

audio-visual teaching aid to illustrate particular points', citing *Philadelphia*, *A Civil Action*, *The Verdict* and *A Dry White Season* as notable examples.¹¹ Similarly Laster starts *The Drama of the Courtroom* by alluding to the shared frustration amongst law lecturers that they did not have the tools to make their subject more relevant and interesting to students. Within this context, 'Movies seemed to offer great promise'.¹² And by 'movies', Laster and most of her fellow law and film experts tend overwhelmingly to mean Hollywood films. Although I do not wish to suggest that there is a simple divide between 'good' and 'bad' law films, it remains significant (and no doubt contentiously so, as this is a qualitative judgement) that the films most readily discussed in existing law and film books—*The Verdict*, *Philadelphia*, *A Civil Action*, *The Firm* or *The Pelican Brief*—are not generally viewed from within film studies as being very good films. Alternative renditions of the trial form in cinema—from Fritz Lang through to the separatist feminist film *A Question of Silence* (1982)—have been far less frequently discussed.

With Lang, however, we are sticking to Hollywood. As many Hollywood directors have appreciated, the trial is an innately cohesive narrative form. It is also a form frequently returned to at times of perceived socio-political and ideological crisis. During the post-war era (dominated by such political struggles as the defeat of the Nazi regime, McCarthyism and racial inequality) Hollywood produced a number of notable courtroom dramas (*Twelve Angry Men*, *Inherit the Wind*, *Anatomy of a Murder*, *To Kill a Mockingbird*, *Judgement at Nuremberg*) which shared, to an extent, the conviction that the American courtroom was the metaphoric re-enactment of the dominant liberal idealism of the time. In these examples (however formally diverse)

¹¹ Greenfield *et al* (n 2) 6.

¹² Laster (n 7) vii.

the trial can be argued to function as a convenient metaphor for a shared patriotic belief in American values and the American courts. In this way, the jury room in *Twelve Angry Men*, for instance, becomes American society in microcosm and the jury a representative cross-section of contemporary (Caucasian) social stereotypes comprising the bigot, the advertising man, a man from the slums, an immigrant watchmaker, a stockbroker, and the middle-class architect (played by Henry Fonda) who eventually persuades the others round to his liberal point of view. As Laster also observes, ‘the film courtroom thus conveniently serves the same functions that “real” courts perform in society’.¹³ The courtroom’s metaphoric potential as a ‘melting pot’ for contemporary American society coupled with the inherent narrative unity of the trial structure itself (that it has an inbuilt beginning, middle and end) as well as the spatial and temporal unity offered by the courtroom setting all served to make the trial—especially in an era such as the 1950s when the Cold War created both an over-simplified enemy (communism) and an equally over-simplified sense of American ideological values—a compelling narrative device.

More traditional Hollywood films than *Fury* used the trial form to offer comforting narrative affirmation that the (true American) individual (like Fonda in *Twelve Angry Men* or Atticus Finch in *To Kill a Mockingbird*) can retaliate against and defeat the forces of corruption that in the post-war era threatened social stability. During unsettled times, the trial’s formal linearity (that it is defined by causality and bound by the classical unities of time, character and space) offered a narrative form that embodied a sense of certainty. A neat consequence of the trial having to reach a conclusion (whether satisfactory or not) is that it embodies closure and so became, at

¹³ *Ibid.*, 9.

troubled historical moments, a popular and comforting narrative device amongst liberal-minded filmmakers such as Sidney Lumet and Stanley Kramer who sought ways of promoting American liberal ideology as a means of countering the threat of extremism, be these McCarthyism at one end of the spectrum or the communist threat at the other. As Laster again notes, ‘in the end, courtroom films *of all persuasions* mostly manage to re-establish the legitimacy of the prevailing system or at least belief in the rule of law. Yet, the tension in such films is characteristic of the ambivalence that all societies quite properly feel toward their legal systems’.¹⁴ Although I would take issue, as my italics indicate, with Laster’s notion that courtroom films ‘of all persuasions’ are intent on upholding the status quo, this observation holds for the majority of Hollywood-produced examples.

The trial’s inherent cohesiveness became important as it offered not only a symbolic arena within which could be enacted the confrontations between oppositional socio-political and ideological forces, but also an acceptable rendition of classical Hollywood’s attachment to narrative closure. Film theorist David Bordwell argued that, unlike the art cinema tradition, ‘the classical Hollywood film presents psychologically defined individuals who struggle to solve a clear-cut problem or to attain specific goals’.¹⁵ Later, Bordwell and Kristin Thompson conceived of a narrative as ‘a chain of events in cause-effect relationship in time and space’,¹⁶ a self-contained world that conforms to both spatial and temporal unity because ‘a film doesn’t start, it begins ... a film does not simply stop, it ends’.¹⁷ Although I would

¹⁴ *Ibid*, 12 (emphasis added).

¹⁵ David Bordwell, *Narration in the Fiction Film* (Routledge and Kegan Paul, 1985) 157.

¹⁶ David Bordwell and Kristin Thompson, *Film Art: An Introduction* (McGraw Hill, 1990) 55.

¹⁷ *Ibid*, 56–57.

want to argue forcefully against Bordwell and Thompson's overly formalistic and prescriptive approach to cinema, their conceptualisation of Hollywood cinema is peculiarly apposite when trying to establish why the courtroom has offered to several conventional (and formally conservative) directors the ideal narrative environment for exploring ideological and social issues. In both form and content the trial is dependent on a collision–argument–resolution structure, and its inbuilt closure enables films that employ it to first test but then ultimately reaffirm the American ideology that is temporarily under threat, namely middle-of-the-road liberalism.

Fury offers a far more unsettling and problematic counterpoint to this, and as such does not conform to the normative Hollywood courtroom drama model. This, as intimated earlier, probably explains the virtual absence of Fritz Lang from most existing studies of law and film, the vast majority of which concern themselves with pretty traditional and conventional representations. Greenfield, Osborn and Robson argue, for example, that 'the whole point of trials is that they are formulaic; they are often all based on procedure and films must follow this or else the courtroom becomes unrecognisable ... This is the beauty of the courtroom scene—it is fixed; it has to be, otherwise the law does not work ... Similarly, the plot is constant with two parties taking opposite sides over a serious issue'.¹⁸ This becomes a self-fulfilling prophecy and in response I would suggest that what Greenfield *et al* posit as the 'whole point of trials' or 'the beauty of the courtroom scene' is only consistently valid if the primary objects of analysis remain relatively conservative mainstream, principally Hollywood-produced, films.

¹⁸ Greenfield *et al* (n 2) 23.

Fury

Fury, released in 1936, besides being Lang's first Hollywood picture, was the first in a loosely and retrospectively grouped trilogy of 'social criticism' films, alongside *You Only Live Once* (1937) and *You and Me* (1938). As Gunning indicates, this was not a 'pre-planned trilogy' as the films were 'very much separate productions, each produced by a different studio'; they are, however, linked by their shared thematic concerns: lynching in *Fury*, the 'three-time loser' law in *You Only Live Once*, and parole laws in *You and Me*.¹⁹ *Fury* in particular offers a complex view of justice, constructed around a series of conflicts that are only partially resolved by the film's abrupt and intentionally unconvincing happy ending. The film tells the story (based on a real news item from 1933)²⁰ of the arrest and subsequent lynching of an innocent man, Joe Wilson (played by Spencer Tracy²¹), as he resides in the jailhouse in the town of Strand, awaiting trial. Joe has been saving up in order to marry his sweetheart

¹⁹ Gunning (n 1) 213–14.

²⁰ As Bergman and Asimow explain: *Fury* was based on an 'incident that occurred in San Jose, California in 1933. A mob dragged two accused kidnapers from their cells and hanged them in a public park. All the action was captured on newsreels. The governor of California, Sunny Jim Rolfe, refused to send in the militia and later declared that the lynching was the best lesson ever given to the country. Nobody was charged for the crime'. Paul Bergman and Michael Asimow, *Reel Justice: The Courtroom Goes to the Movies* (Andrews and McMeel, 1996) 207. Cf. also Christian Delage 'Le tiers cinématographique dans le prétoire', in Christian Biet and Laurence Schifano (eds.) *Représentations du procès: Droit, Théâtre, Littérature, Cinéma*, Université Paris X-Nanterre, 2003, pp. 165—170.

²¹ Spencer Tracy starred in more than one trial film. Besides *Fury*, he played a lawyer in George Cukor's battle of the sexes, *Adam's Rib* (1949) and then Justice Hayward in Stanley Kramer's *Judgement at Nuremberg* (1961).

Katherine (Sylvia Sydney²²), and is on his way to marry her when he is arrested for a kidnapping he did not commit. Although the evidence upon which Joe is suspected is purely circumstantial, the citizens of Strand quickly become convinced of his guilt. They soon grow into an unruly mob, storming the jail and burning it down, apparently with Joe still inside. However, unbeknownst to anyone, Joe survives and is now bent on revenge. He visits his brothers, Charlie and Tom, and together they plot the arrest and execution (by hanging) of the 22-strong mob, whose guilt is ostensibly confirmed by newsreel footage of the fire. Following the pronouncement of a 'guilty' verdict for the majority of the defendants, sentence is about to be passed when Joe, now unexpectedly repentant having been subjected to a vision the night before, which had made him repent, arrives at the courtroom, making the defendants no longer guilty of murder and reuniting Joe with Katherine.

Some of the legal connotations of this convoluted plot are teased out by Bergman and Asimow, who argue, for example, that Wilson is not guilty of a crime by not coming forward to say he is alive, but becomes so once he conspires with his brothers to have the mob prosecuted for his lynching. The three have, according to Bergman and Asimow, conspired to obstruct justice and have probably conspired to commit murder by seeking the defendants' executions; had the 22-strong mob been executed and the brothers' plot uncovered, Joe, Tom and Charlie Wilson could have been tried for murder.²³ But this is a cinematic treatment of justice and central to *Fury* is the conflict between not only individual and institutional justice, but also the letter of the law and how it can be interpreted. The theme of people (whether a mob or a wronged

²² Sydney starred in all three of the 'social criticism' films and also suggested Lang as the director of the latter two in the trilogy. Gunning (n 1) 214.

²³ Bergman and Asimow (n 20) 206.

individual) taking justice into their own hands because they perceive the legal system to be inept is recurrent in Lang (see, for instance, the vigilantes in *M*). In *Fury*, it is striking that such an attitude is expressed by two oppositional narrative elements: the film's 'hero', Joe, and the Strand lynch mob, which attacks the jail and burns it down with Joe inside. This uncomfortable parallel is accompanied by other puzzles and ambiguities, which pose questions about the film and its intentions. Chance and coincidence (both uncontrollable and illogical forces) play vital roles in the narrative, and the film's representation of justice ironically hinges upon them. Joe undergoes a change not only of personality but also of characterisation, progressing from the trusting, naive 'John Doe' figure he exemplifies at the start of the film to the vengeful Expressionist villain he becomes after his wrongful arrest (echoing the psychotic, fixated criminal played by Lorre in *M*). That Joe eventually reverts back to the nice Joe of the early scenes is implausible and unexpected, but the false ending is not unsatisfying as it works to emphasise all the more that it was purely by chance that Joe did not burn or the lynch mob hang. As with Joe's character reversals, the more closely *Fury* is examined, the more ambiguous its relationship to its material seems to be. What might be thought of as straightforward cynicism about the justice system becomes intertwined with questions about, for instance, the stability of character, the relationship between evidence and conclusion or between representation and 'truth', with celluloid itself and the supposedly irrefutable visual evidence it can provide taking on a distinctly uncertain status.

Lang himself encouraged recognition of his own and the film's liberal credentials, although revisionist biography has produced a more complex account of this aspect of *Fury* and, more generally, the ideological status of Lang's Hollywood movies. On his escape from Germany, Lang appears to have been keen to suppress what could be

construed as dubious political allegiances, claiming that his flight from Germany was precipitated by his abhorrence at being offered, by Josef Goebbels, the position of managing director of the German film industry. According to Lang, his exit from Germany was so rushed that he had to leave behind his money, and arrived ‘practically penniless’ at Paris’ Gare du Nord.²⁴ Supporters of Lang have wanted to believe this version because it correlates with an image of him in keeping with his anti-authoritarian, socially concerned and radical ‘problem films’. But the question of why Lang would have been offered such a prestigious post by the Nazi regime has been viewed as suspicious, also fuelled by recent claims (using as evidence Lang’s passport, for example) that he did not leave Germany until several months after the encounter with Goebbels and so not in direct, panicked response to the invitation to take over the German film industry. Goebbels had heralded *M* as proto-Nazi, although as Gunning points out, the Nazis banned the film in 1933 and inserted a section from Lorre’s final monologue into the 1940 racist documentary *The Eternal Jew* as a portrait of ‘psychotic Jewish behaviour’.²⁵

By virtue of being Lang’s first film outside Germany, Lang’s politics and history have traditionally been viewed as hugely significant to any interpretation of *Fury*. With what McGilligan refers to as ‘wishful hindsight’, Lang, once installed at MGM, perpetuated the image of himself as the radical liberal shackled by reactionary forces and maintained that *Fury* was a lowly ‘C’ picture that the studios tried to suppress,²⁶ which it was not.²⁷ He also made out that he was more involved in the scripting

²⁴ Lotte H Eisner, *Fritz Lang* (Secker & Warburg, 1976) 15.

²⁵ Gunning (n 1) 198.

²⁶ Peter Bogdanovich (ed), *Fritz Lang in America* (Studio Vista, 1967) 31.

²⁷ Patrick McGilligan, *Fritz Lang: The Nature of the Beast* (St Martin’s Press, 1997) 220–1.

process than he had been,²⁸ although the research into lynching and legal procedure was very much Lang's input (for example, Lang was advised by legal experts against using film as evidence in the courtroom, and his dilemma is perhaps signalled by the judge in *Fury* deciding only late in the proceedings to deem the newsreel permissible). But as Gunning asserts fairly authoritatively at the outset of his chapter on *Fury*:²⁹

We now know the fictional nature of Lang's tale of a sudden flight from Germany, with its secretive departure, nervous border crossing, one final farewell to the land where he had made his career, his fortune and his fame. In fact, Lang left Berlin for Paris after a period of reflection and preparation, and with a motion picture production with his old producer Erich Pommer (who had relocated to Paris) firmly arranged. Rather than fleeing for his life and trying to beat the clock, Lang left Berlin as, as one fellow refugee [Curt Riess] put it, an 'émigré deluxe'.

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In addition to the elaborate accounts of his emigration, Lang also produced equally elaborate accounts of how MGM had thwarted his more radical plans such as his purported desire to cast an African-American actor in the central role in order to make racist lynching more central to *Fury*'s narrative.³⁰ Both biography and textual analysis suggest that Lang's politics and, by implication, those of his films are less straightforward than the liberal view might suggest.

²⁸ *Ibid.*, 224–5.

²⁹ Gunning (n 1) 203–4.

³⁰ Eisner (n 24) 164–6; McGilligan (n 27) 228.

Fury is, however, without question a socio-politically motivated film with potentially significant ideological impact. It is not particularly surprising that the film's producers were cool in their responses to it, a coolness matched by Lang's perception of the law as inflexible and blind. Lang was incensed at the producer Joseph L. Mankiewicz's imposition of *Fury*'s trite happy ending.³¹ As he conveys to Bogdanovich, Lang thought that the 'perfect ending' for the film would have been Joe saying, 'Here I stand. I cannot do otherwise. God help me',³² a conclusion of exemplary inconclusiveness which would have left the audience—as well as the jury—having to make up its own mind on Joe and the crimes committed. Bogdanovich asks Lang whether or not *Fury*'s final speech is 'a personal statement of your disenchantment with Germany?', to which Lang replies, rather cryptically: 'It's very hard to say. I would say, not knowingly.'³³ The core of *Fury* and of Lang's other 'social criticism' films is their slippery ambiguity, the possibility that he is interested in justice and the law in ways that are not exclusively defined by liberalism and a belief in the integrity of the judicial system.

The emphasis placed on the role of chance, coincidence or accident in many of Lang's social commentary films could be seen to conform to such an interpretation, and *Fury* is full of such unpredictable factors. Circumstantial evidence leads the

³¹ In the era of heavy censorship under Hollywood's rigid Production Code, the imposition of an unexpected happy ending or the insertion of a moralistic scene into a hitherto dark, problematic or radical film was not uncommon. See, for example, the extra scene in Howard Hawks' *Scarface* (1932) or the happy ending at the end of Alfred Hitchcock's *Suspicion* (1941). Lang's fellow German émigré and Hollywood director, Douglas Sirk, termed the happy endings he attached to many of his melodramas of the 1940s and 1950s his 'emergency exits'. For Sirk, such endings offered up dialectical possibilities that darker endings would not have done.

³² Bogdanovich (n 26) 28.

³³ *Ibid.*, 26.

authorities to wrongly assume **Joe is one of the kidnapers** still on the loose, for example, because there were traces of peanut husks on the ransom note, and Joe has peanut crumbs in his pockets. Additionally, a dollar bill he has in his possession has a serial number that matches the money used by the **kidnapers** and he has no alibi for the night before. Whereas here, eerily convincing circumstantial evidence can mask a man's innocence (as it also does in Hitchcock's *The Wrong Man*), in *Beyond a Reasonable Doubt* Tom's dare (to frame himself for a murder we think he did not commit) masks his guilt. Both *Fury* and *Beyond a Reasonable Doubt* are resolved by chance. In *Fury*, it is Katherine's detection of Joe's characteristic error in writing 'mementum' (for 'memento') in the anonymous note he sends to the judge to help convict the defendants of his murder that tells her he is still alive.³⁴ It is then Katherine's subsequent confrontation with Joe that precipitates his guilt-ridden, night-time walk through Strand and his unexpected appearance at the trial. Chance in Lang can easily be confused with the malign fate that is often thought to dominate his films. In this respect George M Wilson is right to challenge Eisner and others who adhere to the popular cliché of Lang as a 'director whose characters are invariably trapped without hope by forces that far outrun their understanding and power to resist'.³⁵ Chance and coincidence do not necessarily signify 'fate'; characters in Lang are, more often than not, able to intervene in 'fate', and the smooth progress of many of the films' narratives is rudely halted by such moments of unpredicted personal intervention as Joe's surprise appearance before the judge at the end of *Fury*. In *Fury*, Joe starts off believing in the law and an inevitable, determined notion of justice, and

Comment [RM2]: how can he fit the description of more than one person?

³⁴ In *The Wrong Man* Manny's similar slip (misspelling 'drawer') is the reason suspicion falls on him.

³⁵ George Wilson, *Narration in Light: Studies in Cinematic Point of View* (Johns Hopkins University Press, 1986) 17.

it is only after the lynching and his supposed death that he demonstrates a more subjective sense of injustice. Joe refers to the death of his idealism in his concluding speech to the court:

And the law doesn't know that a lot of things that were very important to me, silly things maybe, like a belief in justice and an idea that men were civilised, and a feeling of pride that this country of mine was different from others ... the law doesn't know that those things were burnt to death within me that night.

What makes *Fury* so much more trenchant and hard hitting than many Hollywood courtroom films is that it is its by now irretrievably scarred and cynical protagonist who espouses the values of patriotism and a belief in justice—when he has lost all faith in these himself. Most American trial movies (even those, such as *To Kill a Mockingbird*, which do not revolve around a positive legal outcome) never lose faith in the law. Instead, as Greenfield *et al* identify when they comment that films such as *In the Name of the Father* ‘do not disturb our faith in the law; the failings are those of individuals, normally police officers, who are shown as corrupt. The idea of the law is shown as subverted by individual or even communal dishonesty’,³⁶ the majority of Hollywood and other mainstream courtroom dramas abide by the ‘rotten apple’ theory: that the institution is healthy, although it can sometimes be corrupted by the deviant, criminal or untrustworthy individual.

Joe almost makes an ass of the law; the fact that he does not is attributable not to the fatalistic ‘machinery’ Thomas Elsaesser sees as underscoring Lang’s films (of the kind that dictates the consensus politics of Lumet’s *Twelve Angry Men*, for example),

³⁶ Greenfield *et al* (n 2) 27.

but to his independent and selfishly motivated decision to intervene. For, as Lang himself points out, there is nothing altruistic about Joe's intervention, merely a realisation that he 'can't go on living with an eternal lie',³⁷ that giving himself up gives him back his life. Gilles Deleuze remarks that 'the great moments in Lang are those where a character betrays himself'.³⁸ He might also have added that it is frequently the role of Lang's women to pick up on this moment of betrayal, as Katherine does in *Fury* or Susan does at the end of *Beyond a Reasonable Doubt*. *Fury*'s moment of self-betrayal is Joe's slip with 'mementum', a mistake that is both characteristic and, at this stage in the story, the error that precipitates the final narrative twist.

Highly indicative of Lang's lack of belief in any clear or definitive delineation between right and wrong is the fact that Joe's concluding, restorative capitulation stems not from the innate goodness of his character or indeed from remorse, but rather from the 'hero' having tripped himself up and been caught out. The interplay between believing in Joe's essential goodness, and the unpredictability of his evil side and of chance hangs over *Fury*'s conclusion. Joe's subjection to the nightmare of wrongful accusation would seem to indicate the resurgence of the idealism and innocence he displays before his wrongful arrest, but it remains significant that this nightmare occurs only after the 'mementum' mistake, and thus only after Joe has been found out by Katherine. Like Tom Garrett's error in *Beyond a Reasonable Doubt*, Joe's unintentional blunder is potentially understood, in psychological terms, as a Freudian slip, a symptom of an unconscious desire to acknowledge guilt. But it also forms part of a tendency in Lang's films for characters to fail to carry through

³⁷ Bogdanovich (n 26) 30.

³⁸ Gilles Deleuze, *Cinema 2: The Time-Image* (Athlone, 1989) 138.

ingenious conspiracies or plots. What could be seen (in the ‘fate’ reading of Lang) as a punishment for hubris is perhaps more usefully interpreted as a dramatisation of human weakness—the inevitability of error, accident or cock-up.

Fury, like many other Lang films, rejects crude notions of fate, and instead deploys its counterpart, chance, to indicate an inherent mistrust of the idea that any actions and events are ‘beyond our control’. In a reversal of the conventional model identified by Greenfield *et al*, it is thus the individual, rather than some monolithic, unshakeable system, that, in Lang, is invested with the power to deliver justice. The near fatal importance afforded such apparently arbitrary events as Katherine picking up on Joe’s mistake is symptomatic of the cynicism in *Fury* as regards the official legal system, a cynicism reinforced by the unlikely parallels between Joe and the lynch mob. Although on opposing sides, both Joe and the mob set out to abuse the judicial system and to exploit it for their own ends, Joe by seeking a verdict that will convict the defendants of murder, the mob by cajoling their fellow citizens into perjuring themselves by producing false alibis for the night of the jail-house fire. Both, in turn, almost succeed: Joe would have left the 22 men to be executed had it not been for Katherine’s timely intervention, and the defendants are on the verge of being acquitted, until newsreel footage of the riot night is produced by the District Attorney. In Lang, the judicial system is blind and obtuse, too often a vehicle for deception, self-deception, delusion, lack of self-knowledge, which in *Fury* are dramatised in terms of appearances, and surfaces; the superficial being taken to represent the truth. As Deleuze comments, ‘the American Lang becomes the greatest film-maker of appearances, of false images’.³⁹ As Lang’s first Hollywood film, *Fury* is a transitional

³⁹ *Ibid.*

text, articulating a persistent preoccupation with surface and superficiality and bridging his earlier Expressionist style with his later Hollywood-ised transparency. First, there is the emphasis on the superficiality of the judicial system—the courts’ inability to ‘see’ the truth, to detect whether or not the witnesses are lying; linked to this are the characters’ superficiality, for in *Fury* everyone is swayed by image rather than argument (even Katherine, who is jolted out of her post-traumatic catatonia by making a simple association between Joe’s brother Charlie’s lit match and Joe amidst the flames of the jailhouse); finally, there is the use of the in the courtroom to seal the fate of the 22 defendants by ‘proving’ their guilt whilst actually missing the most crucial of that night’s events: the fact that Joe has survived.

Fury is transitional because it has not quite relinquished the Expressionist predilection for externalising inner turmoil. In *M*, the most obvious precursor to *Fury* within Lang’s German work, the equivocations between alternative perceptions of justice are enacted both on the surface of and within the tortured body and psyche of the child murderer Beckert, a play on inside/outside that is substantiated by its overly stylised *mise-en-scène* and Expressionist use of light and shade, conflicting lines and distorted angles. In addition, *M* retains the Expressionist preference for elliptical symbolism (a rolling ball or a floating helium balloon to signify the death of Elsie; the spinning spiral in a shop window reminiscent of an intensely physical, Caligari-esque chaos). Although in muted form, *Fury* retains some of these features: the chain of gossiping women and their juxtaposition with a group of chickens; the transformation of Joe into a shadowy Expressionist villain (subjected to equally Expressionist *chiaroscuro* lighting); the highly stylised images of mob violence as they burn down the jail; the ghosts of the 22 defendants haunting Joe. If it is ambiguities that drive

Fury, at the level of *mise-en-scène* these uncertainties are worked through in an overt way that does not emerge in later films on similar themes.

When Lang arrived in Hollywood, lured over the Atlantic by David O Selznick, he had planned to make as his first American feature a modern version of Jekyll and Hyde, provisionally entitled *The Man Behind You*.⁴⁰ Stephenson's story of a physician who is so intrigued by his own potential for both good and evil that he discovers a medicine with which he can effect a physical separation between the two personae—the good, attractive Jekyll and the bad, repulsive Hyde—seems an entirely appropriate project for Lang, who had been preoccupied throughout his career in Germany with the idea of split personae. When Joe arrives at his brothers' house we do not yet know that he has escaped the jailhouse fire and so mis-recognise this man who at first looks like Joe's distorted, evil counterpart or alter ego. His supposed death and this dramatic change in appearance cause a severance of our identification with Joe, with whom we had earlier sympathised. (The last image we have of Joe at this point is of him in the jail, the innocent victim engulfed by flames.) This loss of empathy is also symptomatic of the prioritisation in *Fury* of change in appearance over psychological and emotional development. To increase our shock and sense of separation, Joe's transformation is extreme. As with Jekyll and Hyde, this is not merely the psychological rise of the repressed, but the negation of the self with the surfacing of the bad doppelgänger. Ironically, when Joe arrives, his brothers Charlie and Tom are discussing eye-for-an-eye revenge for their brother's death, although the fact that they are simultaneously feeding milk to puppies suggests a certain lack of conviction. Joe's voice then interjects from off-screen, 'That's five and ten cents store talk', as

⁴⁰ See Gavin Lambert, 'Fritz Lang's America: Part One' (1955) 25 *Sight and Sound* 15.

his shadow blots out the light streaming in from the next room. Charlie and Tom turn around as if having spied an apparition; in a sense they have, for the next shot—of Joe—shows a man almost unrecognisable. Spencer Tracy's earlier smiling, bumbling and fidgety sincerity has been replaced by an awesome stillness, a bass monotone and a vengeful expression partly obscured by the shadow cast by the trilby tugged down over his forehead. Joe has returned as a force of darkness, like the vampire uncomfortable in the presence of light, like the villain needing to hide himself away. His torment is physically enacted; as the room brightens, he bellows 'Turn out that light' whilst instinctively clutching the arm we soon learn was badly burnt in his escape from the fire. What was a 'character' is now a cipher; his appearance has become his mode of personal expression. As Joe begins to recount his escape, he talks of himself as dead.

To interpret this as signalling the death of the good 'John Doe' Joe once was, is to over-simplify the transformation. Once Joe has sat down, still clutching his arm and in semi-darkness, he begins his explanation of events—not by describing how he escaped (although this soon follows) but with an account of how he has spent his day in a movie theatre repeatedly watching the lynching and fire. He describes watching 'a newsreel of myself getting burned alive' and of feeling no pain from the burns because 'you can't hurt a dead man and I'm dead, everybody knows that—the whole country knows it'. Joe is not internally split as Beckert had been; instead, his alienation is externalised, as he finds himself condemned to an existence of perpetual detachment, of observing himself as others do. To underline this, from his homecoming on, Joe is marginalised from the film's action, left passively to listen to radio transmissions of the mob's trial and to contribute only via a cryptic, anonymous note that further consolidates the view that he is dead. Joe has become the

embodiment of *Fury*'s paradigmatic redefinition of justice, the absent body at the narrative's core. Justice has become mutable and incapable of reconciling its individual and official manifestations, while the trial has become the site upon which the alternative and conflicting interpretations of the same event collide.

Justice or not in *Fury* hinges on the newsreel Joe had watched in the movie theatre. The status of news footage as potentially the least adulterated, most authentic type of audiovisual document is brought to bear on the trial scene.⁴¹ We anticipate being shown the newsreel footage because it has been introduced twice earlier on in *Fury*: in the scene discussed above and as reporters and cameramen converge on Strand, in the run-up to the lynching. And yet it is only at a relatively late stage in the trial that we are actually shown it—a dramatic and potentially ironic delaying of the 'hard' evidence in the case. The first thing to note about the newsreel is that it is not synonymous or straightforwardly compatible with the lynching scene as dramatised earlier. It is thus not incontrovertible evidence or straightforward visual proof of the mob's violence and of Joe's murder, but an alternative version of events. Within the fire scene itself, the news camera that is ostensibly capturing the images later seen projected in court is mounted on a tripod, stationary and obliged to film through the heavy balustrade of a balcony opposite the jailhouse; the cameraman then runs out of film (a comic touch), instructing his assistant to load another roll of 'hyper-sensitive film' (presumably to enable them to shoot in difficult light conditions) and to put a two-inch lens on the camera (presumably to capture the action in close-up). The diegetic camera is then forgotten and the subsequent images make up a fantasy version of what the news crew might have wanted to capture: dramatic, steep-angle

⁴¹ For discussion of *Fury*'s use of newsreel also see Philippe Dubois 'Le cinéma en procès, selon Fritz Lang', in Christian Biet and Laurence Schifano (eds.) *Représentations du procès: Droit, Théâtre, Littérature, Cinéma*, Université Paris X-Nanterre, 2003, pp 392—5.

close-ups of the mob as they storm through the jail's doors and Eisensteinian shots of the sheriff and his deputy turning the hoses on the unruly intruders as they race upstairs to the cell where Joe is detained, ransack the office and set light to the mound of papers and furniture.⁴²

Ironies abound here. Much of the action takes place inside the jail and so away from any news camera; when the action cuts to the crowd outside looking on as the jail burns, the deathly hush of the scene ironically pre-empts the screening of the silent film to an equally hushed courthouse. The District Attorney shows the newsreel footage in an attempt to find the defendants guilty of perjury if not murder, presenting it as 'State Exhibit A', the work of a single news cameraman, Ted Fitzgerald. This footage shows a crucially different—and even more fantastical—version of the events surrounding the fire. The newsreel as shown comprises nothing but dramatic shots taken from within the thick of the mob: close-ups of men ramming down the jailhouse door; furtive shots from under trees; a low-angle shot of one defendant, Sally Humphrey, hurling a fire bomb at a pyre of office furniture stacked high outside the jail; a semi-close-up of another defendant, Frederick Garrett, drenched with water and brandishing an axe he has just used to cut through a fire brigade hose-pipe. The DA draws attention to actions and expressions by freeze-framing the three individuals directly implicated by the film, all of whom look back horrified at these distorted images of themselves. The defendants appear so different from their wild screen images that there is an inevitable and ironic parallel to be drawn between their abrupt physical alteration and Joe's. Lang has chosen not to make this film-within-a-film resemble conventional newsreel at all, but rather to imbue it with an Expressionist,

⁴² See the end battle between strikers and police in Eisenstein's *Strike* (1925).

almost abstract flamboyance (deeply ironic if one considers Lang's assertion that, when making a 'picture of the day' as *Fury* is, 'I always tell my cameraman, "I don't want fancy photography—nothing 'artistic'—I want to have newsreel photography"').⁴³ Despite the cameraman running out of film, it is not as if this newsreel merely fills in the gaps left by the earlier version of the events; it appears directly to contradict certain aspects of the 'real' events, such as where the fire was started.

Ostensibly, the newsreel functions as conclusive proof of the defendants' guilt, in much the same way as the photographs are used at first in *Beyond a Reasonable Doubt* to 'prove' Tom's innocence. Factual images are significant components of Lang's critique of justice: in *M* still frames of the building in which Beckert is found are inter-cut with the pages of the police report being flicked through, and in *Beyond a Reasonable Doubt* Lang presciently inserts cameras into the courtroom. In *Fury*, because of its obtrusive stylisation and distortion (the discrepancy between the possessed, manic faces projected on the screen and the composed, tidy individuals in the courtroom is vast) the newsreel functions to cast doubt on the entire notion of proof equalling certainty and truth. Raymond Bellour remarked about each photograph in *Beyond a Reasonable Doubt* that 'shimmering in memory, [it] plays with the truth of the cinema'.⁴⁴ The footage in *Fury* obviously cannot prove that Joe is dead, and neither can it convey why the assembled masses believe that it does, as it looks nothing like authentic newsreel and contradicts some of the details as previously shown in the 'real' version of events.

⁴³ Bogdanovich (n 26) 19.

⁴⁴ Raymond Bellour, 'The Pensive Spectator' (1987) 9 *Wide Angle* 9.

The paradox embodied by this newsreel, as mentioned above, is that it is the most sustained non-naturalistic interlude in *Fury*. Expressionist stylisation is, in this film, reserved for moments that shed doubt on the credibility of the image, when images appear to reflect not events but emotions and thoughts: the chickens are indicative of the gossiping women's desire for intrigue and embellishment, not hard and fast facts; the ghosts of the defendants haunting the newly **penitent Joe** are externalised projections of his own feelings of guilt; even Joe's transformation after the fire is made resonant by its connotations of emotional as opposed to purely physical change. Thus, the footage shown in the courthouse, more than acting as 'proof' of the mob's collective guilt, reflects the mob's hysteria—that is, its irrationality and the heady emotiveness that built up around the lynching. Expressionist stylisation thus signals, in *Fury*, the rise of the repressed, the intrusion of such unpredictable forces as emotion that any system of justice (whether personal or official) strives so hard to keep at bay. Ironically, however, the dispensation of justice in *Fury* is actually driven by such moments. A scene that Mankiewicz certainly wanted to omit was the sequence towards the end of the film in which Joe, staring in at a florist's window, is surrounded by the ghostly images of the defendants who are just about to hang for his murder.⁴⁵ The sequence is generally unsettling. The first shot comprises a track in to the floral display so that the camera seems literally to be resting among the flowers; a policeman strolls by and Lang cuts to a medium close-up of Joe obsessively looking in at the window and then directly to camera. At this point music starts, Joe looks worried, and Katherine's voice is heard telling him to 'do a good job of it' as the ghosts of the defendants are superimposed, forming a garland, with the flowers,

⁴⁵ See McGilligan (n 27) 232.

around Joe. Joe, like the mob, is motivated by irrationality (as Katherine has said in the previous scene, ‘The mob doesn’t think—it doesn’t have time to think’). The supposedly rational legal outcome rests on forces far beyond the law’s control.

An observation frequently made about *Fury* is that it stands apart from the conventional ‘social problem’ film, in that, like *You Only Live Once* and *You and Me*,

it marginalises the issue it purports to be about.⁴⁶ As Lambert comments, ‘*Fury* is not ... about a lynching’.⁴⁷ It is tempting simply to agree with this, but that would be to

ignore the detail with which Lang invests the red herring that is the lynching. Just prior to requesting that the newsreel film be admitted as evidence, the DA recites how, in the last 49 years in this ‘proud land of ours’, there has been a lynching approximately every three days, that mobs have lynched some 6,010 individuals, but that of the many thousands who perpetrated these crimes, only 765 have been brought to trial because of the conspiracies of silence that have protected them. Lang gathered these statistics during extensive research into lynching in 1930s America, although he was perhaps more preoccupied with what could be deduced about justice in general than with lynching *per se*. In *Fury*, the attention to statistical details (like the assumption, later played upon, that a stop frame will yield more concrete information than a moving image) is minimal; much as Lang’s films eschew the easy polarities of the social problem movie, *Fury* suggests that the essence of the film is not to be found in the accumulation of factual details.

If *Fury* is not about lynching, then what is it about? Lambert posits that it is ‘an almost abstract study of mob hysteria’ in which ‘There seems an unmistakable

Comment [RM3]: doesn't make strict sense - rephrase to something like 'An observation frequently made about *Fury* '?

Comment [RM4]: not sure this makes sense - is 'in' missing after 'film,' ?

⁴⁶ See Lambert (n 40) 18; also Julian Petley, *The Films of Fritz Lang*, MA thesis, 1973, Exeter University, 74.

⁴⁷ Lambert (n 40) 18.

allusion ... to the insensate, destructive urge to mass-power that has so often obsessed Lang'.⁴⁸ Justice in *Fury* is meted out not because of undeniable hard evidence (his regurgitation of statistics about lynching is a desperate stalling tactic on the part of the DA at a moment when the trial is going badly for him), but because of uncontrollable and irrational forces that incite the masses to pursue the judgment they desire, regardless of legitimacy. This is neatly encapsulated by the 'Chinese whispers' chain of gossiping women (twittering and twitching like the chickens to which they are compared) that passes the news of Joe's arrest from one to the other, embellishing the tale at every turn. Although the last woman to be told the news is evidently sceptical, the gossip has now become fact, and the woman is roundly chastised: 'Young lady, in this country people don't land up in jail unless they're guilty.' In this irrational context, justice becomes merely what the majority desire and perceive it to be, and in this respect, the various expressions of superficiality in *Fury* are linked by the underlying assumption that surface and image are inherently unstable facets of an underlying truth yet to be discovered.

In this way, the film's ending (so vilified by Lang) becomes not an obstacle to be overcome, but a strangely apt conclusion. Lang, like Douglas Sirk, is associated with the emergency exit, an imposed conclusion that arrives abruptly, with little more than coincidental narrative motivation, and whose major role it is to mask the fissures of the unresolved problem text that had preceded it. After a film predicated upon the superficialities of character, the ineptitude of the law, the inconclusiveness of film evidence and the irrational power of mob violence, it is unlikely that an implausible reunion between Joe and Katherine before the judge and a packed courtroom will

⁴⁸ *Ibid.*

seem credible. This conclusion is *Fury*'s final paradox as the improbable kiss cements in our memories the far more bitter ending it is so flagrantly used to supplant, namely Joe's speech to the judge:

I know that by coming here I save the lives of these twenty-two people, but that isn't why I'm here. I don't care anything about saving them—they're murderers. I know the law says they're not—I'm still alive, but that's not their fault.

Lang's treatment of justice is consistently cynical. From *M* onwards, the director's law-centred films become increasingly academic in their interest in judicial procedure, as if their underlying desire is to prove the mechanics of a system incapable of serving and preserving the ideals of justice. This tendency, already evident in the self-conscious examination of criminality and innocence in *You Only Live Once*, finds its ultimate expression in *Beyond a Reasonable Doubt*, in which Lang's predilection for 'testing' received notions of justice and truth are woven most overtly into the film's narrative. Lang's 'problem films conclude, as does *Fury*, in an equivocal manner marked, more than anything else, by an abruptness that pre-empts emotional investment in them: so Joe's volte-face is more implausible than sincere, just as the final confirmation of Tom Garrett's guilt as he is on the point of being pardoned at the very end of *Beyond a Reasonable Doubt* occurs so suddenly that it denies us the possibility of identifying with the emotions (such as Susan's pain) that have led to it. Joe, in *Fury*, does not come to the courtroom because he has learnt much or wants to rectify things; he comes because otherwise he would be an isolated outcast forever. The previous night he had looked in at a window display for newly weds and remembered the first scene of the film when he did the same thing but with

Katherine: Joe would rather get married than wander aimlessly through purgatory. The ending to *M* similarly emphasises the self-preservation instinct when a mother, looking directly to camera, warns us to watch our children, an insinuation that the law cannot be trusted to do this on our behalf and is no more capable now of solving crimes than it was when it bungled the Beckert case. Likewise, the shock revelation of Tom's guilt at the end of *Beyond a Reasonable Doubt*, although in this instance prompting a reassessment of the entire preceding film, serves again to underline Lang's perception of the judiciary as superficial and inept. Nowhere in Lang does the institution of justice triumph over the illogical, irrational and arbitrary forces brought to bear on it. This inferiority is suggestive more of chaos than control, and for all its neatness, the conclusion to *Fury* does nothing to dispel the worries this ushers in. The law in Lang is often lucky; it is never astute. Individuals incriminate themselves and factions take justice and morality into their own hands. Lang's cynicism is radical and challenging, not because his films formulate credible alternatives to existent codes, but because they promote no morality or certainty at all. His films do not point to an ideological position as, say, does *Twelve Angry Men*; instead they offer analyses of the workings and shortcomings of justice.