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## Lawyers in Film

### Top 10 character perspectives in 'Judgment at Nuremberg'

Released in 1961 at the height of the Cold War and during the time of the Berlin Blockade, this film not only explores an historic moment in time, but also provides a unique perspective on the differing roles of judges, lawyers, witnesses and politics in our judicial system. It is one of the few "lawyer" movies that also gives the perspectives of judges (those trying the case, as well as those on trial), as well as lawyers and witnesses. It is set at a fictional post-war trial of former Nazi judges at Nuremberg in 1948 with the following characters:

1. Spencer Tracy, as Chief Judge Dan Haywood, is the presiding judge (and hero) who maintains throughout the proceeding his neutrality, search for answers, fair play and fight for justice despite the political pressures of the day when higher ups were trying to rally German sympathy at the onset of the Cold War. In the end, he convinces one of the other three members of the judicial tribunal, and they properly convict.

2. Werner Klemperer (later of Hogan's Heroes fame) portrays one of the German judges on trial for his implementation of Nazi political aims rather than his duty to do justice and who, as the political hack that he is, is even outraged that he is on trial.

3. Maximilian Schell, as Hans Rolfe, is the passionate defense attorney defending the undefendable with great skill. Rolfe attempts to make a strong argument that the case is simply the war's victors glossing over their own culpable acts and wrongly attempting to pin all culpability on those associated with the



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Nazi regime. For example, he pointed to the atomic bombing of Hiroshima and Nagasaki, U.S. Supreme Court Judge Oliver Wendell Holmes Jr.'s affirmation of eugenics (See *Buck v. Bell*) and Russia's part in the Nazi-Soviet Pact of 1939. He also fiercely and skillfully attacked the prosecution witnesses, including Judy Garland, as Irene Hoffmann-Wallner, the 16-year-old at the time of the alleged crime (of having an alleged but denied sexual relationship with an elderly Jewish man), until one of his own clients, Burt Lancaster, as accused German Judge Ernst Janning, forced him to stop out of his own sense of decency.

4. Burt Lancaster, as Dr. Janning, is the German judge who was highly skilled and internationally respected (i.e., he knew better than his colleagues, also on trial, who were in essence political stooges), but nevertheless sacrificed his principles and the individual lives of those defendants before him for what he perceived as the greater good of Germany. His stopping of the withering cross-examination of Irene Hoffmann by his own attorney and subsequently taking the stand against his own interests — and his own attorney's advice — was his attempt at repentance, however late in coming. The Spencer Tracy character agrees to Janning's request to visit him at the end after sentencing; while

having maintained an open-minded view throughout the trial, Haywood cannot help but add his own personal condemnation of Dr. Janning for having abused the trust placed in him as a judge who did indeed know better. Haywood himself had put justice ahead of the prevailing political winds of the day, while Janning had not. The film highlighted, among other points, the critical importance of an independent judiciary and the need for the rule of law irrespective of how the political winds are blowing.

5. Richard Widmark, as prosecutor Colonel Tad Lawson, relentlessly and fiercely put forth the undisputable evidence of the atrocities committed by the Nazis and the defendants. Actual film footage of the Nazi death camps was included and graphically shown for the first time to movie audiences in 1961.

6. Judy Garland, as witness Irene Hoffmann-Wallner, has to be persuaded by the prosecution to step forward and testify on their behalf at a time when many of the German people wanted to put the horrors of the Nazis past behind them. Her fears are realized when she is skillfully attacked on the stand by the defense counsel until he is forced to stop by Dr. Janning.

7. Howard Caine, as Hugo Wallner, Irene's husband, showed the impact on family members when an individual is called to testify as a witness.

8. Mr. and Mrs. Halbestadt (Haywood's assigned butler and housekeeper) serve as stand-ins for the German people

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and all who turned a blind eye to injustice, when they should have seen what was happening but lived with blinders on because it did not affect them directly, at least at that moment.

9. Montgomery Clift, as Rudolph Petersen, serves as the voice of another victim sterilized by the Nazis for his mental incompetence. His character needed the help and protection of its judicial sys-

tem, but did not receive it.

10. The postscript of the film is a commentary on how political reality interacts with and sometimes trumps the law. Judge Haywood justly sentences the defendants to life imprisonment. The postscript notes that of the 99 judge defendants sentenced to prison terms at the real Nuremberg trials that took place in the American zone, none were still serving their sentences at the time the movie was released in 1961,

at a time when West Germany was an ally of the U.S. and the Berlin Blockade was occurring.

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