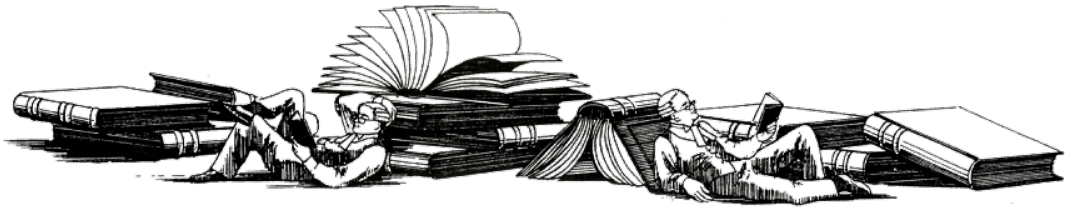

NOTES ON THE STYLE OF THE LAW

Review: The Paradine Case (1947)

by

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reviews criticism film cinema Hitchcock

Few courtroom films hold as much sway in the public imagination as *To Kill a Mockingbird* (1962). This is despite the fact that *To Kill a Mockingbird* is, in terms of content, not actually a courtroom film, but rather a film with courtroom scenes. The performance of Gregory Peck as Atticus Finch standing up for justice is one of the most memorable in film history, and even in England, it is common to hear lawyers cite Atticus as one of their inspirations for pursuing a legal vocation. Consequently, in discussing Peck's turn as an Old Bailey barrister in *The Parradine Case* (1947), one must acknowledge that it is rather enjoyable to see Atticus Finch, albeit noticeably younger in appearance, dressed in a wig, gown, and striped trousers, and rising to address the judge as 'my Lord'. This enjoyment is aided by the fact that Peck, while ostensibly playing an Englishman, does not remotely attempt any accent other than his own (as indeed he did not attempt an Alabaman accent in *Mockingbird*). Unfortunately, this meta-cinematic pleasure is just about the only enjoyable thing in the otherwise forgettable *Paradine*.

On paper, this ought to be a fantastic motion picture. It is, after all, a Hitchcock picture, and the Master of Suspense rarely disappointed. His wife, Alma Reville, was one of the writers of the film, applying the talent which had worked so well in *The Lady Vanishes* and *Suspicion*. In addition to Peck, the cast is sterling. Two years before her iconic performance in *The Third Man*, Alida Valli plays the sultry widow Paradine. Two years after making British cinematic history in *The Seventh Veil*, Ann Todd is back as Peck's wife, still at the height of her melodramatic powers. The legendary Charles Laughton appears as a High Court judge (a decade before he was to deliver a legendary performance as a barrister in the superb *Witness for the Prosecution*. Hollywood stalwart Charles Coburn (familiar to aficionados of screwball comedy for his expert supporting turns in *The Lady Eve* and *The More the Merrier)* plays a senior solicitor and knight, and like Peck, he does not bother with an accent (beyond moving his normal Mid-Atlantic register ever so slightly east). The film also benefited from a generous budget (equal to that of *Gone with the Wind*) and a meticulous

production design which included reproducing from (permitted) photographs the Old Bailey courtroom. The consequent camera work to capture from the right angles witness evidence and cross-examination in the challenging environment of a packed courtroom is genuinely impressive. (The crane setup necessary to achieve this cinematic feat accounted in part for the high cost of the picture).

Yet, in truth, this was a troubled production in which the even the profound professionalism of the participants could not disguise the fact that none of them really wanted to make this picture. Hitchcock was reaching the end of his contract with David O Selznick, and by all accounts eager to escape to the next stage of his career. It probably didn't help that Selznick had handed Hitchcock a troubled adaptation over a decade in the making; Selznick had the rights to *Paradine* since 1933 (having snapped them up before the novel on which it is based even came out), but had never quite got the production together. The dream star as the foreign-born Maddalena Paradine was Greta Garbo, but despite flirting with the project (even doing a screen test for Hitchcock), Garbo never signed on. The bouncing production and long history meant that by the time actors unable to properly do the accents (namely Peck and Coburn) were cast, no one cared enough to change the script, despite the painful contrast with the impeccably British Laughton and Todd. The stars in the cast seem to have little affection for the film, although the foreign cast making their American debuts (Valli and Louis Jourdan) putting in more effort. The passion for the material may have been dimmed by the pain of the disputes over creative vision between Hitchcock and Selznick, with Selznick's constant notes an apparent source of tension throughout the production. Hitchcock responded by withdrawing interest from the production, to the point of apparently literally falling asleep (or maybe feigning to do so) at various points during the production to signify his discomfort.[1]

The plot is straightforward, if contrived. Mrs Maddalena Paradine (Valli), a young sultry Italian (apparently based loosely on the infamous *femme fatale* Margeurite Alibert), is arrested after the death by poison of her wealthy, blind, older husband, Colonel Paradine (who dies before the film commences). She, as any arrested person ought to, calls for a solicitor, in this case her old family retainer Sir Simon Flaquer (Coburn) who (wisely) advises her to give the police no comment, and informs her that he shall brief for the trial the Bar's best, Anthony Keane. Here, a legal viewer may raise an eyebrow, because one would expect that a wealthy client facing trial for murder would settle for nothing less than a Silk as leading counsel. In the novel, the Keane character is named Sir Malcolm Keane KC, but the knighthood and silkhood appear to have been dropped. This may have been a function of the problem that Peck was clearly too young for the character (which the production somewhat risibly attempts to address with an unconvincing touch of grey temples), but given that Peck is still posited as the top counsel in a sensational murder case, it makes little sense not to depict him as a *Wunderkind* relatively young Silk.

When Keane meets Maddalena, sparks start flying, and his infatuation with her is evident enough for his surprisingly understanding wife, Gay (Todd). Gay insists Keane continue with the case (horrified at the prospect Maddalena might hang otherwise) despite his obvious crush. This, again, will have legal eyebrows

1 L J Leff, *Hitchcock and Selznick: The Rich and Strange Collaboration of Alfred Hitchcock and David O Selznick in Hollywood* (University of California Press, 1999), 243–244

raised. Gay is right that Maddalena needs good representation in a capital case, but plainly Keane's amorous feelings towards Maddalena are interfering with his ability to be an impartial advocate. This compromises not only his duty to the court and his opponent, but also his ability to defend his client. From an ethical perspective, Keane should have returned the brief immediately, in his client's interests, when it became apparent that he was not able to form an objective opinion about the case separate to his desire for Maddalena.

Meanwhile, Keane and Gay head to dinner with the louche High Court judge Lord Horfield (Laughton). It's not clear from the film, which uses both styles, if Horfield's proper address is the Lord Horfield or Lord Thomas Horfield; the former would suggest he is a peer and the latter the younger son of a member of the higher ranks of the nobility. In either case, it is interesting (though hardly impossible) that such a person is a puisne judge of the High Court. Laughton is masterful as the cynical and sleazy Lord Horfield, and the film is most striking in its depiction of Lord Horfield's casual and sickening sexual harassment of Gay after the dinner party. Grabbing her hand, and placing it atop his leg, Lord Horfield hungrily eyes a ruby on her finger (since hungrily eyeing anything else on Todd might breach the Hays Code) and asks, 'Did your husband earn that whacking away at juries?' Hitchcock's direction and Laughton and Todd's performances yield the intended reaction of intense disgust in the viewer.

Keane carries out an investigation by visiting the Paradine country house in the Lake District where the crime occurred, where he encounters the cryptic and prickly valet to the late colonel, André Latour (Jordan). There is little given explanation for why a barrister would be playing private detective apart from the fact that Keane is the main character in a motion picture. Nor is it explained why Keane is clandestinely interviewing Latour, a prosecution witness in the case, which would be unconscionable and probably grounds for disbarment in real life. Any sense of legal reality is sacrificed in favour of melodrama, which might work in many atmospheric noir films, but falls short in a courtroom drama such as this.

The picture proceeds to court, where the Old Bailey set looks fabulous (and the establishing shots show the then-extant damage from the Blitz), and where Laughton is in his element as judge. The layout of the characters, with Maddalena in the dock and counsel and judge properly remaining in their appropriate positions, is legally impeccable. Here, we get the visuals and lines that pay off in the meta-cinematic way, as Atticus Finch himself says 'your Lordship' and wears Edie & Ravenscroft. The cross-examination is occasionally plausible, and Jordan plays a hostile witness (and pulls off a nicely cut double breasted suit) quite well in the witness box.

The ridiculousness begins only later in the proceedings when, after a devastating cross-examination from Keane, Latour kills himself (thankfully off-screen). Devastated by this turn, Maddalena breaks down in the witness box and reveals that she killed Paradine to be with her lover, Latour, and that Keane has now ruined that by driving him to suicide. Keane, desperately trying to defend his client (who has now confessed to the murder from the box), flounders and announces he cannot continue leave the case before fleeing the courtroom. This is partly a reflection of Keane's lack of emotional objectivity in the case, and partly a rather natural reaction to the triple shock of learning in quick succession that the last witness apparently killed himself in reaction to one's questioning, that one's client is in fact the murderer, and that one is expected to

(given the lack of any recess) improvise a speech in defence of said suddenly confessed client. While rushing from the courtroom in such a manner would likely bring disciplinary proceedings today (and withdrawing from a capital case so far into a trial is not easily done), Keane's human reactions are understandable. The fault is all with his failure to withdraw earlier, not with the travails the melodrama forces upon him.

Keane goes to his wife, and there is a touching closing scene between the Todd and Peck, who have good screen chemistry, and are both doing their best to wrap up an uninspiring picture with some sense of human emotional reality. Yet, the end feels artificial, because in the end this plot was so contrived that it could only work if the charisma of the actors and the sharpness of the script overcame the rushed and disjointed developments of the rapid-fire plot. Hitchcock shot and initially cut together a much longer (three hour) picture, which explains why this film feels like a sprint through a mch longer plot. However, given the low quality of the final product, perhaps it is a mercy Selznick's notes kept the picture to a mere 114 minutes.

There are only two good reasons to see *Paradine*. One is for film buffs or Hitchcock completists, who want to see this document of the strained relationship between Hitchcock and Selznick and the development of the screen careers of so many great actors. It is, in that sense, an interesting historic artifact of the careers of many great artists, and of the studio behind them. The other reason is for those in English law, simply to see Atticus Finch doing the full barrister, deploying the same accent, and similar (if younger) looks in the Old Bailey. For this latter group, I recommend skipping to the scenes in court, and avoiding the rest.

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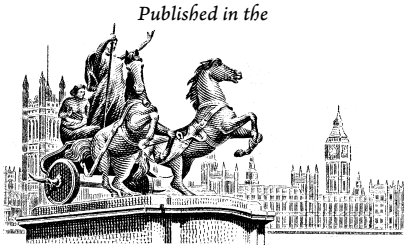

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