Reflections on the 50th Anniversary of Anatomy of a Murder

By Frederick Baker, Jr.

The startling success of Anatomy of a Murder played a pivotal role in the trajectory of John Voelker's life. John served for 14 years as Marquette County Prosecutor. It was a part-time office, so if he had not spent so much time fishing, he probably could have prospered more than he did. His consistent success as a prosecutor explains why he found himself out of a job after serving seven terms, when he lost the 1950 election by 36 votes: “Sooner or later,” he observed ruefully, “if you are any good at the job, you will have annoyed enough of your constituents and their friends and relatives that they will combine to throw you out of office. And that’s what they did.”

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He did some harebrained things to make money, including prospecting for uranium. He alludes to this episode in his introduction to Anatomy, and he wrote a funny story about it, but the fact was that, but for an unlikely sequence of events, John probably would have passed his life in genteel obscurity, practicing law and fishing in the remoteness of the U. P.

It was about this time, in 1952, that he defended the case of People v Peterson, which, as he put it, “some say was the basis for a book I wrote called Anatomy of a Murder.” After being sued by his client (or, as you know him, Lieutenant Mannion), he said he would have passed his life in genteel obscurity, practicing law and fishing in the remoteness of the U. P.

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It was about this time, in 1952, that he defended the case of People v Peterson, which, as he put it, “some say was the basis for a book I wrote called Anatomy of a Murder.” After being sued by Mr. Peterson (or, as you know him, Lieutenant Mannion), the client he successfully defended on a murder charge, for a piece of Anatomy's profits, John was careful to distance the book from the actual case. Peterson's suit was unsuccessful, to John's infinite satisfaction, since, like Lt. Mannion, Peterson ab-

His mole did not improve when, after a winter spent writing the story that John crafted from the Peterson trial, Anatomy was rejected by several publishers.

By this time, in 1957, John was hard pressed to meet his family's needs. He and I agreed that daughters are an especially expensive hobby. His three previous books were small sellers, and his practice was not exactly thriving. At that critical juncture in his life, John felt as if he was a failure, much like his humiliated alter ego, Polly Biegler, in Anatomy.

But just at his darkest hour, an amazing confluence of events combined to elevate this northwoods ex-DA from obscurity to worldwide fame and acclaim. “Soapy” Williams (so called because of his connection to the Mennen toiletry family) was Michigan's governor. It was pointed out to him that the tradition of having at least one seat on the Michigan Supreme Court filled by someone from the U. P. had fallen into disuse. He sent the late Tom Downs, who practically invented election law, and labor leader Gus Scholl, to interview John and another candidate for the vacant seat. Downs told me this story, and swore it was true: After Downs and Scholl finished their interview, they asked John one last question, “Why do you want the job?” John laid his finger beside his nose for a minute to consider, and then replied, “Because I have spent

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The very slowness of the law, its massive impersonality, its insistence upon proceeding according to settled and ancient rules—all this tends to cool and bank the fires of passion and violence and replace them with order and reason.

And consider “the lecture,” in which Polly tells his client the law so that Mannion could tell him the facts that might sustain an insanity defense. It is such a deft example of how a lawyer can walk the fine ethical line between coaching a client and counseling the client on what testimony might offer salvation that it is included in Ladd and Carlson’s evidence text, which is where I first encountered Anatomy of a Murder, while studying evidence with Ronald Carlson.

John literally created a new fictional genre with Anatomy. Before then, no novel had so truly depicted the actual preparation and trial of a case. The Grishams and Turows who followed all owe a debt to John, who wrote a novel that was both true to life and true to himself.

John was a funny, generous, wise, just, and thoughtful man. And he believed in the four classifications of judges he described in Anatomy: “judges, like people, may be divided roughly into four classes: judges with neither head nor heart—they are to be avoided at all costs; judges with head but no heart— they are almost as bad; then judges with heart but no head—risky, but better than the first two; and finally, those rare judges who possess both head and heart.”

I think we are all lucky that Anatomy liberated John to live life as he believed it should be lived, on his own terms. Like Laughing Whitefish, it is a book that can still speak to us half a century after its publication about the important role our profession plays in—sometimes, at least—slaking our species’ instinctive thirst for justice.

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Wednesday marked the 50th anniversary of President Franklin D. Roosevelt’s signing of Executive Order 9066. The order gave the Department of War the authority to exclude any and all persons deemed vulnerable to espionage or attack. Two months after the bombing of Pearl Harbor and fueled by a half-century of racism, the military decided that the American West Coast and the Arizona border would be classified as an exclusion zone. The military moved to evacuate and segregate more than 127,000 Japanese-Americans as threats to national security. Of those that were interned, however, Anatomy of a Murder was the book that gave John Voelker prominence as a writer. It was the fifth book that he wrote, but the fourth to be published (after Troubleshooter, 1943, Danny and the Boys, 1951, and Small Town D.A., 1954). It was the first of his books to make the best-seller lists across the country. Coincidentally, Governor G. Mennen Williams telephoned that same day to offer John a seat on the Michigan Supreme Court to fill the remainder of a vacant term. Mr. Justice Voelker was sworn in as an associate justice several days later. Anatomy of a Murder has been well received by members of the legal and educational professions. In 1989, the American Bar Association rated this as one of the 12 best trial films of all time. In addition to its plot and musical score, the article noted: “The film’s real highlight is its ability to demonstrate how a legal defense is developed in a difficult case.” 50th Anniversary Anatomy of a Murder. Northern Michigan University. Retrieved December 7, 2011.