

MARTIN ŠRAJER / 2. 2. 2023

# The Defendant

The well-coordinated directorial duo Ján Kadár – Elmar Klos ran into trouble with the management of the nationalised cinema with their fourth common film, the fairy-tale satire *Three Wishes* (Tři přání, 1958). The film, pointing out the shortcomings that hindered the smooth running of socialist society, ended up in the „vault“ after a harsh condemnation at the First Festival of Czech and Slovak Films in Banská Bystrica in 1959. Just like the social drama *Scars of the Past* (Zde jsou lvi, 1958) and the musical comedy *A Star Travels South* (Hvězda jede na jih, 1958), made in co-production with Yugoslavia. Both filmmakers were banned from feature films for two years. In the meantime, they made at least multi-screen films for Laterna Magika theatre. After returning to feature film directing, they produced a trio of their most acclaimed works shortly following one another, which they saw as a loose trilogy exploring the relationship of an individual to the society and the moral attitudes of the characters.

As early as 1962, they had already begun work on the screenplay for the Oscar-winning *The Shop on Main Street* (Obchod na korze, 1965). Before its completion and premiere in October 1965, however, they managed to complete two other projects. In the psychological drama *Death Is Called Engelchen* (Smrt si říká Engelchen, 1963), based on a book by Slovak writer Ladislav Mňaček, they stripped away the gloriousness of the struggle of Slovak partisans during World War II. After the demanding, non-linearly composed film that was enthusiastically received at home and abroad, Kadár and Klos took on a more intimate subject. In the summer of 1963, the management of Czechoslovak Film approved their next material, an adaptation of the fictionalized reportage *The Defendant* (Obžalovaný) by the *Rudé Právo* journalist Lenka Hašková. Karel Feix, the head of the production group, was the initiator, and he recommended the material to Vladimír Valenta, who was an expert on the prison environment. He was the one who subsequently wrote the script.

Initially, a three-camera television production was considered. In the end, the result was an impressive feature-length courtroom drama that raises similarly complex issues as *Engelchen* and *The Shop on Main Street*, and its concentrated narrative does not lag behind its genre-related American production counterparts (e.g. Otto Preminger's *Anatomy of a Murder* [1959], Billy Wilder's *Witness for the Prosecution* [1957], or Sidney Lumet's *12 Angry Men* [1957]). Throughout the trilogy, Kadár and Klos build on the concept of the banality of evil that German philosopher Hannah Arendt elaborated on in her text *Eichmann in Jerusalem*. As they see it, everyone bears his or her share of responsibility; no one is entirely blameless. Only in *The Shop on Main Street*, they have shifted the focus from the victim of the system to the culprit.

While writing a novel about the loss of trust in those in charge, Hašková was inspired by actual trials from the 1950s, which were already permissible to be critically reviewed. The protagonist of the story set in 1955 is Josef Kudrna. A former factory worker and party activist, now a plant manager, took over responsibility for the construction of power plants after February 1948. However, during an inspection, it was discovered that he had been paying extraordinary bonuses to the builders without being authorized to do so. Next, Kudrna is on trial facing many years in prison. His defence is that if he had not paid the bonuses, it would have not been possible to meet the plan. Paradoxically, he acted in the interests of the system, which now intends to punish him. Like some party leaders in the 1950s, Kudrna, who did not run a state but „only“ a factory, is discovering that anyone, even an apparently innocent person, can find himself in the dock.

Jan Kadár chose Juraj Herz as an assistant director based on his collaboration with Zbyněk Brynych. Herz then made a significant contribution to the casting of the film. He chose Jaroslav Blažek as an expert advisor, who was subsequently cast as the President of the Senate. Blažek was not supposed to associate with the other actors at all so that they would perceive him as an untouchable authority. During the filming, he then acted just as he would in a real court, and the actors had to respond directly to his comments and questions, some of which were not in the script. For example, Jiří Menzel as Kudrna's defence lawyer, chosen for his appearance as an inexperienced young man, is admonished by Blažek to speak louder. Herz suggested Josef Somr from the Pardubice theatre for the role of the prosecutor. Somr, however, did not react in

time and his role got to Miroslav Macháček. In the end, he was cast in the smaller but important role of a doctor convicted of treason. The main role was played by Slovak actor Vlado Müller, whose performance won the Trilobit award.

In addition to the casting of a real judge, the sudden changes in the script were intended to add to the credibility of the trial. The actors were given hastily revised lines in the morning. They did not have time to learn them thoroughly, and therefore they did not speak fluently, stammered, and had to improvise, creating the impression of a testimony that had only just been made in front of the camera. The film, exhibited as a classic courtroom drama, takes place almost entirely in the courtroom and consists of illustrative flashbacks of the construction of the power plant in addition to witness testimonies. A key role was therefore played by the sets, which were built in the Barrandov studio by architect Boris Moravec. The exteriors of the prison and the court were filmed in Hradec Králové. The filmmakers found the ideal power plant near the village of Tušimice, not far from the town of Kadaň. The relatively quick filming began in the autumn of 1963 and lasted three months. The music was composed by Zdeněk Liška, who sat the pianists down at typewriters during the recording, gave them sheet music and let them „play“ the song.

Dramatically balanced, authentic and very urgent for its focus, the film boldly exposed the ruling party's links with the judiciary, abuses of the law and other dubious party practices. At the same time, it offers an ever-relevant reflection on the responsibility of those in leadership positions. A seemingly clear-cut case is made problematic and formally embellished by adding other points of view. In the end, the title defendant is not Kudrna, but the dysfunctional system to which he has devoted his entire life. The drama ends with an unexpected punchline, a committed appeal to the whole society with its black-and-white perception of justice and responsibility. Neither is absolute in the conception by Kadár and Klos.

This timeless film, exceptional in its subject matter and execution, has caused a stir among the general and professional public. It won the Crystal Globe at the Karlovy Vary Film Festival. At the Workers' Film Festival, it won the Grand Prix and the Central Council of Trade Unions Award. In 1965, it also contributed to the appointment of Kadár and Klos as meritorious artists. After 1969, however, *The Defendant* was withdrawn from the cinemas. Trials of morally upright people began to take place

again, not only on the movie screen but also in real courtrooms.

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**The Defendant** (Czechoslovakia 1964), director: Jan Kadar, Elmar Klos, screenplay: Vladimír Valenta, Ján Kadar, Elmar Klos, director of photography: Rudolf Milič, music: Zdeněk Liška, cast: Vlado Müller, Zora Jiráková, Martin Štěpánek, Jaroslav Blažek, Pavel Bártl, Milan Jedlička, Miroslav Macháček, Jiří Menzel, Kamil Bešt'ák and others. Film studio Barrandov, 90 min.