

HUMANITIES INSTITUTE
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THE TRIAL (1962)

Orson Welles

OVERVIEW

Auteur Orson Welles is one of the most important and influential filmmakers in American film history. After making a name for himself in theatre and radio, Welles signed with RKO Pictures to write and direct two motion pictures, a deal that was unprecedented at the time in terms of the creative control Welles enjoyed. His directorial debut, *Citizen Kane*, would go on to become arguably the greatest film ever made thanks to its innovative techniques and unconventional narrative style. He quickly became a household name releasing a total of twelve movies that include critically-acclaimed films like *The Magnificent Ambersons* (1942), *The Lady from Shanghai* (1947), *Touch of Evil* (1958), and *Chimes at Midnight* (1965). He won the Academy Award, with Herman J. Mankiewicz, for Best Original Screenplay for *Citizen Kane*, and *Othello* (1951) won the prestigious Palme d'Or at the 1952 Cannes Film Festival. Orson Welles died in 1985.

Film “So say what you like, but *The Trial* is the best film I have ever made” is what Orson Welles said of his movie. Adapted from Franz Kafka’s eponymous novel, *The Trial* tells the story of Josef K. who, one morning, wakes up to find himself arrested. He doesn’t know what he is charged with and nobody can tell him the supposed crime he has committed. His fight for his freedom becomes an ordeal as he is forced to go through the unending corridors and unopened doors of the Law. Orson Welles argues that the movie, though clearly inspired by Kafka’s novel, has a few major departures from the book. “Josef K. in the film doesn’t really deteriorate, certainly doesn’t surrender at the end,” he says. Welles refuses to declare whether K.’s story should be read as an allegory of the individual against authority or a symbolic fight against implacable evil: “I think that a film ought to be, or a good film ought to be, as capable of as many interpretations as a good book, and I think that it is for the creative artist to hold his tongue on that sort of question.”

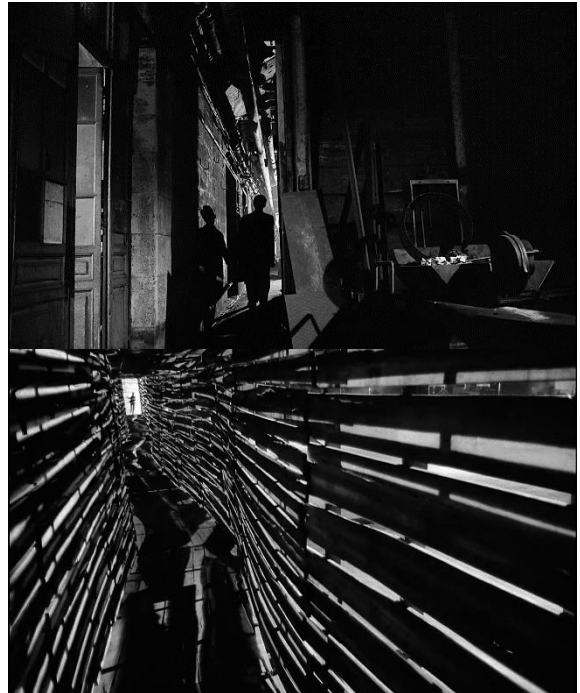
Background According to Welles himself, the movie was not adapted from but inspired by Franz Kafka’s masterpiece. It was mostly shot in Yugoslavia, a country Welles chose in order to capture the “flavor of a modern European city, yet with its roots in the Austro-Hungarian empire.” His original plan was to have the sets gradually disappear throughout the movie with fewer and fewer realistic elements appearing on screen. Towards the end, the scenes would be reduced to “free space as if everything had dissolved.” However, due to production issues, he had to change his plans and instead used the abandoned railway station in Paris, *Gare d’Orsay*. Welles also took some liberties while adapting the book for the screen. He changed the ending in that Josef K. was able to stay defiant in the face of his execution as opposed to his novel counterpart. He also “modernized” the story by incorporating technology. In a long scene cut from the final version, a computer scientist uses a supercomputer to tell Josef K. that he is going to commit suicide.. This machine-computer has an uncanny resemblance to *Deep Thought*, the famous supercomputer in Douglas Adams’ science fiction hit *The Hitchhiker’s Guide to the Galaxy* (1978).

CINEMATIC NARRATION

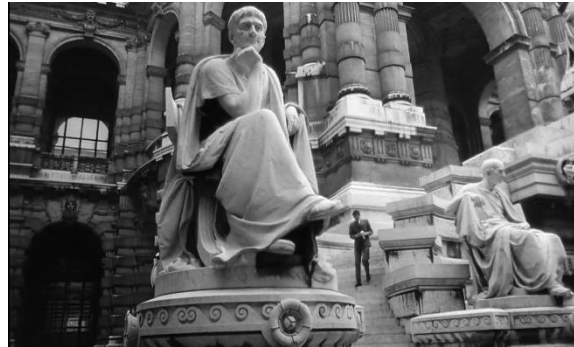
The Trial features sublime cinematography with almost every frame and *mise-en-scène* offering a Kafkaesque feel. Edmond Richard, in his first work as a cinematographer, manages to realize Orson Welles’ vision with poised photography and sophisticated lighting. Long takes with perfect choreography, Wellesian deep focus and high contrast photography, shaky camera movements to reflect character’s interior world and the stupendous use of perspective and angles to highlight individual’s diminutive figure against authority—all this put together represents a zenith of black-and-white cinema wrapped in a Kafkaesque setting that adds to the story’s multi-layered dark project.



Images 1-2-3-4: Deep-focus mise-en-scènes



Images 5-6-7-8: High contrast photography offering depth



Images 9-10-11-12: Use of perspective and angles to pit individual against authority

MAIN CHARACTERS

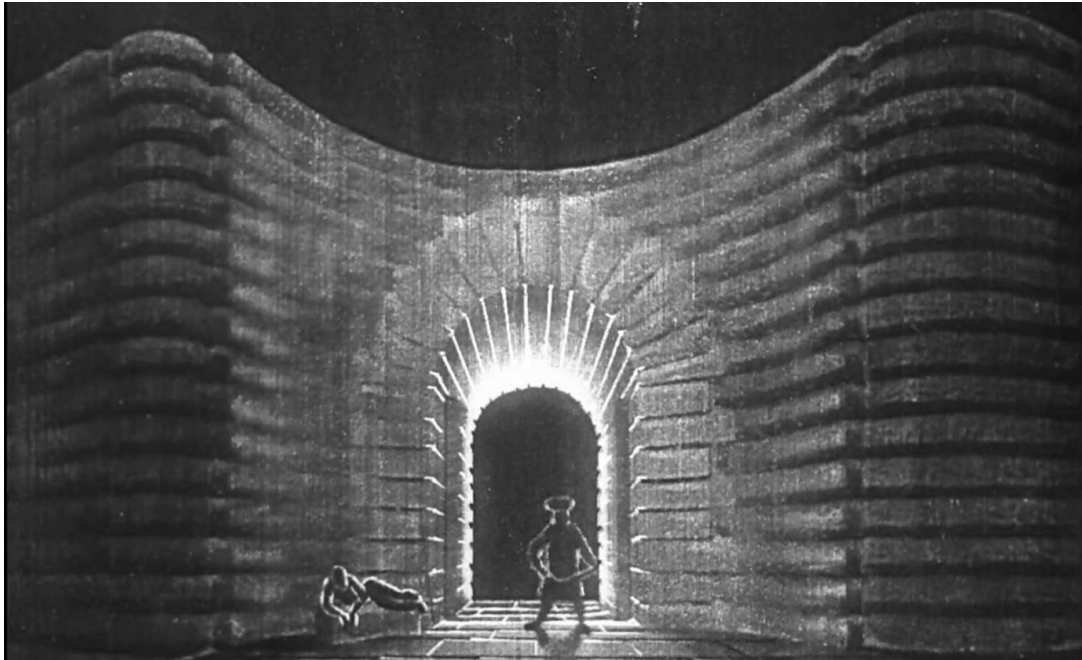
Josef K.	The protagonist who wakes up to find himself arrested by the strange men in suits.
Mrs. Grubach	Josef K.'s landlady and is worried about her lodger, Ms. Burstner.
The Advocate	Albert Hastler, the Advocate, is Josef K.'s defence attorney.
Leni	Hastler's maid and lover who also flirts with Josef K. and Bloch.
Bloch	Another client of the Advocate, who wait in his office for years.
Titorelli	The official court painter and knows all the important judges.

SYNOPSIS

Josef K. is woken up by a couple of men in suits who inform K. that he is under arrest. They refuse to tell K. what he is charged with. Despite being arrested, K. is still allowed to go to work. While attending the opera, K. is abducted by investigators and brought to a courtroom, where he delivers a scathing speech in which he insinuates that a vast organization is behind his dubious arrest. Next day, his uncle takes K. to the Advocate's apartment to hire his services. While they discuss K.'s case with the chief clerk, K. is being seduced away from the room by the Advocate's maid, Leni. Before he leaves, K. discovers an old man, Bloch, living in the same apartment. K. goes to court and meets the guard who shows him around including the place where several men have been waiting for judgement for years. K. returns to the Advocate's office and finds Leni sleeping with Bloch. The Advocate tells K. that she finds criminals attractive and humiliates Bloch in front of K. who immediately dismisses the Advocate. Heeding Leni's advice, K. visits Titorelli, who is the official court painter. Titorelli tells him that he's never heard of a case of definite acquittal and explains to him the intricate procedures of the judicial process. K. leaves his studio? , depressed and dazed. He takes refuge in a church, where a priest tells him that he has been condemned to death. Two executioners take K. to a deserted place. They hand K. the knife for him to commit suicide, but K. refuses. The executioners leave him in a ditch and throw in dynamite while K. laughs at them. As the executioners run off, K. grabs something from the ground. The next scene shows an explosion.

PLOT

Justice System In an animated sequence, Orson Welles narrates the parable of the man before the law. A man arrives at a door and wants admittance to the law, but the guard refuses him entry. As the man waits for years, he never meets another man seeking entry. The guard tells the man that this door was opened exclusively for him. With that, the guard closes the door for good.



Detectives arresting Josef K. K. wakes up and finds a strange man in a suit waiting for him in his room. He is under arrest. Despite being asked, the man doesn't show an ID neither does he tell K. what he is charged with.



Workplace Even though K. is arrested, he is still allowed to go to work. His workplace is a giant warehouse, where hundreds of workers type in unison on desks lined up based on a grid system. When their shifts end, the workers all stand up and leave the office.



Court in session While attending the opera, K. is kidnapped by a team of investigators and brought to the courtroom. In front of hundreds of officials, K. delivers his first defence in an angry speech and blames a corrupt organization for his wrongful arrest. Before he leaves the courtroom, the magistrate tells K. that he's made a serious mistake.



Empty Courtroom K. visits the courtroom, but it's not in session. The guard's wife offers K. help because she is attracted to him like every other women in the movie. While she is being carried away to the office of the magistrate who sent for her, the guard arrives to show K. around. K. meets the other accused men waiting for justices. K. suffers a panic attack as he leaves the courtroom.



The Advocate K. witnesses two men in suits being tortured in a broom cupboard. His uncle arrives and takes him to the Advocate's home to hire him for his defence. While they all discuss K.'s case with the chief clerk, K. leaves the room to flirt with Leni. Before K. leaves, he finds an old client, Bloch, waiting in a small room. Leni tells K. not to worry about him.



Women's sexuality

K. landlady, his drunk neighbour, the Advocate's maid, the courtroom guard's wife are all attracted to K including the young girls who want to take a sneak peek at K. at the Painter's studio. K.'s boss insinuates that there may be an inappropriate attraction between K. and his 16-year-old niece, who pays him a visit several times.



Aggression towards women

The courtroom guard's wife is harassed by a law student in the courtroom before hundreds of court officials and the judge while K. delivers his first defence. Nobody intervenes. In fact, when she is carried away from the room, the court audience laughs at the scene. On K.'s second visit to the court, the guard's wife is, once again, forcibly brought to the magistrate office. Neither she nor her husband is seemingly capable of preventing this sexual violence.





Official Court Painter K. arrives at Titorelli's apartment. He's accosted by a party of little girls. Titorelli explains how the acquittal system works. K. has only two options: ostensible acquittal or indefinite deferment. Titorelli tells him high-ranked judges are inaccessible for K. As he leaves the studio, K. realizes its door opens to the law court offices. K. yells at the accused men waiting there and runs off through a dark corridor in a dazed manner.



Humiliation of the accused K. visits Leni while she is making love with Bloch. Leni tells K. that Bloch is a nobody and leaves the kitchen to serve the Advocate his dinner. Bloch and K. are admitted to the Advocate's bedroom where the Advocate humiliates Bloch, telling him his case is hopeless. Horrified by the Advocate's reaction, K. dismisses him. Leni tells K. to see Titorelli, the official court painter.



Verdict K. finds himself in a church where a priest informs him that he's been condemned to death. The Advocate arrives to give a presentation of the parable, accusing K. of having delusions of victimhood. K. gives a speech about the courts trying to persuade society that the world is crazy, meaningless and absurd. He is defiant even though he's lost his case.



Execution Two executioners carry K. to a deserted place, throw him in a ditch and go down with him. They hand K. a knife for him to commit suicide, but K. tells them they have to do it themselves. While K. laughs at the executioners, they light sticks of the dynamite and throw them in the ditch. They run off as K. keeps laughing at them. K. grabs something from the ground and the dynamite explodes.



CHARACTERS

Josef K. K. is a confused character who cannot figure out his arrest or the way the Law works (or doesn't work). He also displays a certain level of defiance that the other accused men in the movie never dares to show. Instead of cowering, he is constantly on the attack, questioning the institutions, complaining about injustice and speaking his mind whenever he can without fear. He's bold and audacious to a fault.

Defiant What separates Welles' K. from Kafka's K. is that the former rejects being put in an inferior position against authority while the latter surrenders to it as the story progresses. As soon as the filmic K. understands that the Advocate uses his clients to show off his power, he dismisses him. When he makes a speech at the court house, he accuses the court of being a pawn in a conspiracy. "Can there be any doubt that behind my arrest a vast organization is at work?" he shouts. In the end, despite being sentenced to death, he refuses to give in and laughs at his executioners. "You'll have to do it," he tells them as his final defiance. "You'll have to kill me."

Decisive K. is a character who is supposed to cower and acquiesce. Like the other accused men, he is expected to exist in an indeterminate state. His family and friends as well as the law encourage him to follow usual procedures, which are designed to keep him arrested. However, K. is not afraid of taking the road less trodden. When he witnesses how Bloch has been made to wait for years, he takes his fate into his own hands by dismissing his attorney. At the court house, while each and every accused are waiting for their trials in a quiet acceptance, K. tells the guard to let him out instead. "Can you tell me how to get out of here? I've had enough of this place," K. says, not mincing his words. "I only came here because I wanted to see if the inside of this famous legal system was as loathsome as I guessed it was." He makes every attempt to reach his own decisions and is ready to face the consequences. His decisiveness is an expected result that even his executioners don't know how to handle.

Confused Just like his literary precursor Gregor Samsa, K. also wakes up to a confusing

morning: he is arrested with no clear charges brought up against him. All morning, he tries to find out about these strange men in suits who suddenly appeared in his bedroom to inform him of his arrest. He asks them about their IDs and the charges against him, but he is not given any answers. "Well listen, you don't deny anything or affirm anything. You just stand there and stare at me in the middle of my private bedroom," he says in frustration. Still, he gets nothing. In Titorelli's hut, he gets dizzy as he learns about how the law is really stacked against little men like him. On his way out, he tells Titorelli that he is surprised to learn how "ignorant I am about everything concerning this court of yours."

The Advocate He is an attorney who uses his clients to serve himself and the system. He's a power-hungry tyrant, a blunt tool to ensure his clients do not receive due process. He gets sadistic enjoyment out of his clients' misery. Whereas an attorney is bound by the presumption of innocence for their client, the Advocate ensures their guilt.

Tyrant The Advocate's power comes from his knowledge of the legal system, an authority he uses to emasculate his clients rather than to serve them. Bloch has been made to wait in his apartment-office for years. The Advocate sees him only occasionally, and even then, he may berate him for being late. He sends his maid, Leni, to further manipulate Bloch and K. so that they stay with the Advocate, guaranteeing his position of power. Even the bed he sleeps in looks like that of a king. He receives his clients while lying in bed. "And when I allow her [Leni] to... she tells me about these affairs to amuse me," he says, confirming that his clients are a source of amusement for him.

Sadistic He keeps Bloch imprisoned in the maid's room so that Bloch can amuse him whenever he wants. "He's not a client," K. says of Bloch, "He's the Advocate's dog." The Advocate tortures the old man, berating and humiliating him whenever he receives him, and he never gives Bloch good counsel. In fact, after being made to wait for years, he reveals that his proceedings haven't even begun yet, which sends Bloch into a frenzy. Even then, the Advocate keeps his leash firm. "Quiet there, Bloch! Have you no shame, to behave like that in front of a client? You're destroying his confidence in me." He then makes Leni force Bloch to kiss his hand the way a subject kisses a king's hand. That's the Advocate's modus operandi. As K. leaves after dismissing him, the Advocate tells him: "To be in chains is sometimes safer than to be free."

Leni Leni is attracted to all accused men walking through the Advocate's office. Her essential duty is to use her sexuality to manipulate those clients so that the Advocate can keep them in metaphorical chains. . Leni is the Advocate's enabler and partner in "crime."

Manipulative The moment K. steps into the Advocate's office, Leni seduces him by throwing furtive glances and touching him. Her influence on K. is such that he ignores the all-important meeting between the Advocate and the chief clerk about his own case and spends time with Leni. It is almost as though Leni seduces him away from the meeting so that K. stays uninformed and thus reliant on the Advocate. . Leni has used sex to keep Bloch in line so that she can manipulate him. "I kept him locked up in the maid's room, so he wouldn't disturb me when I worked," Leni tells the Advocate about how she's controlling Bloch.

Enabler She may not bring those clients in, but it is Leni who helps the Advocate keep them. Her function in the story is to enable the Advocate's legal enterprise so that the clients stay uninformed and attached to the Advocate. It is Leni who urges Bloch to kiss the Advocate's man in order to apologize even though it is Bloch who is being shouted at. She maintains the *status quo*. She tries to prevent K. from dismissing the Advocate as well, but fails. Then, she suggests K. see Titorelli for help, but that suggestion, too, can be construed as another attempt to enable the system at the expense of the defendant. "You'll be back here," Leni tells a frustrated K., knowing what Titorelli would do to him. "You won't have any choice."

Bloch He is less a client than a lapdog for the Advocate. He represents the individual's emasculated position against authority and the Law. He is, from their perspective, a little man who has no power within the system that perpetuates this hierarchical relationship. The little hope he's been given is nothing but slow torture, diminishing him slowly and surely.

Emasculated Bloch is treated like vermin by the Advocate and Leni. Even when he talks about Bloch's own case, he tells Bloch that he wouldn't understand the arguments made against him. He

gives Bloch a book, knowing that it's "only meant to give him a bare inkling of the complications" that he never explains to Bloch. The Advocate makes Bloch fall on his knees and beg just to break his spirit. When Leni talks to the Advocate about Bloch, she acts like he is indeed a dog: "Once he asked me for a drink of water and I handed it to him through the ventilator. Then about eight o'clock I let him out and gave him something to eat." The Advocate's answer is as emasculating as it is revealing: "You're praising him too much, Leni." Bloch, to them, is less than a human.

Tormented While talking to K. for the first time, Bloch wants to tell him about his case but is worried that K. might sell him out. "You won't give me away?" he asks K. "[The Advocate] is a revengeful man, very, very revengeful." This short exchange summarises the torment Bloch has received from the Advocate. Not only has he been made to wait even to be able to see the Advocate to receive counsel, he is also kept in a small cupboard with food and water delivered through a ventilator's gap. He is at a stage where he has to beg to the Advocate on his knees so that he can keep tormenting Bloch. And we know he has done so: "Yes, once he's aroused, he could do anything," Bloch tells a confused K. who asks if the Advocate would think of harming a client. "He doesn't draw any distinctions."

The Accused A group of men who have been waiting for justice for years.



THEMES

1. **Mystery** The biggest mystery of the story is what crime Josef K. has been arrested for. In perfect Kafkaesque fashion, we never get an answer because that is not the point of the movie. The mystery drives the plot, it shapes the characters' choices and it produces the situations, but it is not revealed because the mystery is not the story. If anything, the story is the real mystery: What is this tale all about? Is it the individual's inevitable defeat by the powers-that-be? Or is it about the unnamed and unspeakable evil that seals our fate?

2. **Bureaucracy** The movie presents and explicates bureaucracy less as a matter of paperwork than a potent system that traps individuals within its procedures that are inscrutable to the uninitiated. In this game, the lawyers, clerks, judges and even the official painters hold all the power against people who cannot move through the system's procedures to defend themselves or prove their innocence. The decision is up to the powers-that-be who have designed the bureaucratic barriers. The painter, of all people, gives a glimpse of the legal bureaucracy when he asks K. what kind of acquittal he wants. "Ostensible, or definite acquittal or deferment?" Then, Titorelli lists all the other steps following the acquittal: "Third arrest, fourth arrest, fourth acquittal..." all point to a convoluted maze that entraps whoever dares to enter it.

3. **Law** Orson Welles opens the movie with the parable "Before the Law," a text that was published in the 1915 New Year's edition of *Selbstwehr* before it appeared in the novel, *The Trial*. What this parable conveys is that justice is for everyone and therefore no-one. The assumption that every individual is equal before the Law is just that, an assumption. In practice, not everyone will be allowed to enter the system to receive justice because the way it is set up privileges some over others. The guard ensures that it stays that way; the guard could be a lawyer, a judge, or even an advocate's maid. The official court painter, who knows every judge and every procedure, tells K. about the maze-like corridors of the Law, which makes K. dizzy. The tragedy is that, as soon as he understands how the Law works, he is unable to get out.

4. **Technology** One of the changes Welles made to the story is to inject some 1960s technology. "Although I have tried to be faithful to what I take to be the spirit of Kafka," Welles justifies his modernization, "the novel was written in the early twenties, and this is now 1962." Therefore, he introduces, for instance, a machine that can reportedly tell K. what he is charged with. "Well [the machine]'d need the data, economic, sociological, psychological," K. says in a bid to transform and understand the concept of crime as a matter of fact. In a scene cut from the final edit, this assumption is further developed. The supercomputer, by processing K.'s data, predicts that K. will commit suicide. This is an amazingly prescient move from Welles. Beside the fact that he may have inspired Douglas Adams, he also undercuts the bureaucratic power of the Law by offering a fresh perspective on the concepts of crime and punishment.

5. **Power** Power flows from a system into an elite group of people through a paradoxical chain because those people are the ones who have invented the said system in the first place. Therefore, the Law emerges as an exclusive game, in which power always stays within. The individual is categorically and systematically deprived of it. It is the Law that determines who will hold the power over whom. The initiated—lawyers, judges, clerks, court officials—understand the dynamics which is by design kept away from the uninitiated on whom such power is exercised. Therefore, in an ironic twist, the Law creates hierarchy rather than parity. The official court painter draws the picture for all of us to see. When K. asks him if he will be free, the painter says: "Ostensibly... ostensibly free." Individuals will stay as a subject even when they are allowed to walk out.

6. **Sexuality** Women in *The Trial* are awkwardly and inexplicably attracted to the accused men. Leni uses her sexuality to manipulate the Advocate's clients, who are all men. The courtroom guard's wife is being harassed by a Law student right in the middle of K.'s defence, and everybody seems to consider this to be business as usual. The wife herself tries to seduce K. with the promise of legal help and her husband seems to be unable to prevent her. Even the little girls are driven by an inexplicable urge to touch and spy on K. in the painter's hut. The Advocate's explanation is as good as any: "It's just... something about them, something... attractive." Curiously, none of the accused in the movie are women. There seems to be a linkage between the sexuality of women and the crimes of men, both of which are mediated through the legal system.