

# Reflections on the 50th Anniversary of *Anatomy of a Murder*

By Frederick Baker, Jr.

**T**he 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."

So there was John, like his fictional character Polly Biegler, at the age of 46, with a wife and three young daughters to support. He had no job, and practically no private practice to sustain his family, having spent his spare time fishing and writing fiction.

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 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-



Frederick Baker with a copy of a *Life* magazine cover featuring Justice Voelker, author of *Anatomy of a Murder*, toasting the health of a logger and a miner at friend Gigs Gagliardi's Roosevelt Bar, in Ishpeming, Michigan.

sconded after his acquittal without paying John's fee. After Peterson sued, John always carefully maintained that *Laughing Whitefish* was his "only historical novel."

Like Polly Biegler, John went on to run and lose a race for Congress. Polly's description of "the feeling of utter forlornness and emptiness that sweeps over a man when he is finally beaten at the polls" is one that came from the heart. Having lost two elections in a row, John was pretty downcast.

His mood 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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my life on fiction and fishing, and I need the money.” According to Tom, John’s candor so delighted Governor Williams that he chose him to fill the vacant U. P. seat on the Court.

Amazingly, on the very same weekend that he received word that Governor Williams had chosen him for the Court, John also learned from St. Martins that it had accepted *Anatomy* for publication. As a result, just after John joined the Court, *Anatomy* was published and began to climb the best-seller list, where it stayed at number one for 29 weeks, and among the top 10 for over a year. Suddenly, John was prosperous and, as he once wryly remarked, found himself “a promising young author at the age of 52.”

John resigned from the Court after serving only a week of his second (full) term. Unlike the political geniuses who thought Justice Dorothy Comstock Riley could be appointed to fill a term to which a deceased justice had been elected but had not yet begun to serve when he passed away, Voelker realized that he had to both win his election and begin to serve his new term so that Governor Williams could appoint another Democrat to replace him. Once he fulfilled that political obligation, he resigned in a letter to Governor Williams in which he said that he was “pregnant with book,” and that, “while others may write my opinions, they cannot write my books.”

The collision between his career as a justice, as John Voelker, and his career as an author, as Robert Traver, had resulted in a clear winner: John returned to Ishpeming and the house he built on Deer Lake with some of the royalties from *Anatomy*, and never really left the U. P. after that.

John published several other books in the years that followed his resignation from the Court, including *Hornstein’s Boy*, *Trout Madness*, *Jealous Mistress*, *Laughing Whitefish*, *Anatomy of a Fisherman*, *Trout Magic*,

and *People v Kirk*. *Hornstein’s Boy* contains a pithy epigram that I have never forgotten: “In a democracy those most gifted to govern are all too frequently those least gifted in the dark arts of getting to govern.”

It has been said of John that he was so beloved in his community because he took people as they came, and treated everyone with dignity and respect. And when Polly says, in *Anatomy*, “when in doubt, tell the truth,” you are hearing John. But he was not a simple man—it would be a mistake to think so. He was unpretentious. But when you hear him mock literary pretension, as when he writes in *Anatomy* that “plot these days is anti-intellectual and verboten . . . Symbolism now carries the day, and it is the one true ladder to literary heaven,” do not suppose that he did not concern himself with the great and important literary themes. Though he spoke modestly of his work as “spinning yarns,” he explored the human soul just as surely as Dostoyevsky. What is *Anatomy* if it is not a study, an anatomy lesson, as it were, of the truth-seeking process, and of the elusiveness of truth itself?

John’s one great and overriding theme was the importance of the law itself, and of the role it plays in society. The passage in which Polly ruminates on the role of the law as “the fireman that extinguishes society’s brushfires, substituting orderly ritual for the rule of tooth and claw,” finds its fullest expression in his later work, *Laughing Whitefish*, in Dean Lassiter’s lecture to the graduating class of the University of Michigan. That class included Willy Poe, the lawyer who took on the mining interests on behalf of an Indian woman. In that story, which is based on actual decisions of the Michigan Supreme Court, John wrote about the importance of the law’s peacekeeping function, much as he did in *Anatomy*, which contains this response to Dickens’ Mr. Bumble, who so famously called the law and its delays “a ass”:

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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