

**Getting away with murder:  
Why do criminals succeed and detectives fail in neo-noir films?<sup>1</sup>**

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**Palavras-chave:** Cinema *noir* e *neo-noir*, criminosos, detetives, feminismo

**Keywords:** Noir film, neo-noir film, criminals, detectives, feminism

### **1. How *neo* is noir?**

Fast cars, smoking revolvers and murder scenes spattered with blood... Stories where crime, sex and betrayal are inextricable... Tough detectives and *femmes fatales*, beautiful to die for — and you just may, for they will drag you into their disgrace... Dark alleys and sleazy bars where you can sell your soul, or have your enemies murdered by contract killers... Half a century afterwards, an aura still radiates from film noir, which became a cult genre, and marked an era.

Initially, the label *noir* applied only to the cycle of films made between 1941 and 1958, in Hollywood, beginning with John Huston's *The Maltese Falcon* (1941), and ending with Orson Welles' *Touch of Evil* (1958). However, nowadays, it is considered that this period can be expanded to include Josef Sternberg's *Underworld* (1927), as the first film noir picture, and Robert Wise's *Odds Against Tomorrow* (1959), or even Martin Scorsese's *Taxi Driver* (1976), as the last one (Hirsch, 1999: 3).

From mid-seventies onwards, a new phase begins, called neo-noir or, in the terminology of other specialists, contemporary, post-classic or modern film noir. At the same time, several subgenres emerged in the past few years: retro (neo-)noir — such as Curtis Hanson's nostalgic *LA Confidential* (1997), the Coen brothers' *Miller's Crossing* (1990), or Brian de Palma's *The Black Dahlia* (2006); future noir — represented by pictures like Ridley Scott's *Blade Runner* (1982); and even teen noir — namely the TV series *Veronica Mars* (2004), starring a few *jeunes filles fatales*, a hard-bitten detective in a solitary quest for justice, and other characters that could easily be found in the pages of a Dashiell Hammett novel.

Could it be the industry is capitalizing upon a well-established popular label, which

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<sup>1</sup> Mancelos, João de. "Getting Away with Murder: Why Do Criminals Succeed and Detectives Fail in Neo-Noir Films?". *Success and Failure: Essays from the 29th APEAA Conference at the University of Aveiro*. Ed. Anthony Barker, David Callahan, and Maria Aline Ferreira. Aveiro: Universidade de Aveiro, 2009. 179-188. ISBN: 978-972-789-283-9.

ended when black and white pictures were replaced by colored ones? Is there a neo-noir genre — or does it simply reflect a postmodern nostalgia? In other words, how *new* is neo-noir? It is a complex question, since there are numerous variables to be taken into account, both thematically and aesthetically.

On one hand, it is true that neo-noir films retain some of the characteristics associated with noir cinema: “chiaroscuro lighting, skewed framing (...), dense shadows, silhouettes, oblique lines and unbalanced compositions” (Buckland, 1998: 91). On the other hand, when the technologic advancements allowed the introduction of color, the visual iconography of film noir changed, and nowadays neo-noir pictures take full advantage of that. For instances, director David Lynch poetically uses vibrant, saturated colors, soft and unrealistic lighting, to more adequately narrate his dreamlike stories, in pictures like *Lost Highway* (1997) or *Mulholland Drive* (2001), while Curtis Hanson, in *LA Confidential* (1997), prefers “a visual style (...) as lustrous as a studio classic but without sentimentalism” (Dargis, 2003: 47).

Other aesthetic changes are also noticeable, sometimes in the director’s cut of a successful film. For instances, film noir resorted so frequently to voice-over and first person narration that these became two of the distinctive characteristics of the genre. Those strategies help viewers follow the plot; give access to the character’s reflections; place the audience in the mind and shoes of the protagonist; and makes us identify more closely with the narrator — be it a detective or a criminal, such as the main character in Billy Wilder’s *Double Indemnity* (1944), Walter Neff.

However, in neo-noir cinema, voice-over is becoming rare, which allows the audience more room for interpretation, based on the dialogues and behavior of the characters, and avoids breaking suspense. Significantly, in the director’s cut of *Blade Runner*, the voice-over was suppressed, letting the instrumental and futuristic soundtrack by Vangelis excel, and stimulating the audience’s interpretative capabilities.

Besides the aesthetic changes I mentioned, themes and plots also present some interesting differences. That occurs partly because in neo-noir there is a clear conscience of the conventions of the genre and how to *recycle* or *reinvent* them, frequently in an intertextual homage to film noir. Both these processes are visible in Roman Polanski’s *Chinatown* (1974); Curtis Hanson’s *LA Confidential* (1997); or Robert Rodriguez’s *Sin City* (2005).

This paper addresses one aspect of this reinvention: the pervasiveness of amorality in the new cycle of films. I understand *amorality* as the belief that moral systems are arbitrary, or even the denial of any religious commandments or specific ethical notions. In practice, this means that the vast majority of neo-noir pictures do not attempt to teach a moral lesson; instead, they take a much more realistic approach to existence, one where the victory of evil

over good sometimes occurs. In this context, resorting to three neo-noir films (*Chinatown*, *Reservoir Dogs*, *Basic Instinct*) and to one TV series (*Miami Vice*), I discuss how directors creatively use time and space to generate an atmosphere of insecurity; I present and examine several examples of criminals who succeed and detectives who fail; and I analyze the moral implications of these changes.

## 2. An atmosphere of perpetual insecurity

There's no *la vie en rose* in film noir. The dark themes are an essential and easily recognizable part of this genre: alienation; pessimism; moral ambivalence; ambition; loss of innocence; crimes of passion; and double, if not triple, crosses (Hirsch, 1999: 14). In film noir, night and shadows are omnipresent and contribute to a claustrophobic atmosphere of danger — just think of John Huston's *The Maltese Falcon* (1941), or Nicholas Ray's *They Live by Night* (1949), among many others.

However, departing from that scenery, an increasing number of neo-noir pictures establish broad daylight as the perfect setting for the most violent scenes — which generates in the audience a feeling of perpetual insecurity. To describe this new tendency, Steven Sanders coined the expression *sunshine noir*, and associated it with Michael Mann's *Miami Vice* (1984-1989), a television crime series, where the vast majority of the episodes take place in subtropical Miami (Sanders, 2007: 186).

Throughout five seasons, the two main characters, detectives James "Sonny" Crockett and Ricardo "Rico" Tubbs, with the help of Gina Navarro Calabrese and Trudy "Big Booty" Joplin, work for the Miami Vice Unit of the Organized Crime Bureau, under the supervision of the silent Lieutenant Martin Castillo.

If one excludes the remarkable absence of the *femme fatale* (most of women in *Miami Vice* function as redeemers), all these characters are typical of noir films. They face dissociated identities due to their work as undercover agents (in one episode, Sonny Crockett even suffers a concussion and regains conscience thinking he is, in fact, Sonny Burnett, his code name); they struggle against a traumatic past (Castillo was a Drug Enforcement Administration Agent in Southeast Asia, and Sonny is a Vietnam Veteran); and, up to a point, they are all antiheroes in a confusing world, at times looking too much like the individuals they fight against (Sanders, 2007: 187, 189).

Mann uses music video techniques to show Sonny and Rico defeating prostitution, pornography, trafficking and corruption, in a godless, amoral world. Both policemen seem to believe the means justify the ends or, in Sonny's words, "You've got to know the rules before

you can break them. Otherwise, it's no fun" (Mann, 1984). To be sure, some of the most memorable moments in their combat against crime occur under the moon: any fan will recall Sonny driving a black Ferrari, down Biscayne Boulevard, at night, while Phil Collins sang, ominously, "In the Air Tonight", and Rico loaded his gun, getting ready for action (Mann, 1984). However, most of the endless battle against the forces of evil took place in broad daylight, in sites like Coral Gables, Coconut Grove or Key Biscayne.

Neo-noir film directors also take an innovative approach to space. The setting for classic noir was Los Angeles, San Francisco, or New York, metropolis of modernity with dead-end alleys and dark streets gleaming with danger. Those urban landscapes were easily recognizable to the audience, thanks to certain monuments such as the Hollywood sign, the Golden Gate Bridge, or the Empire State Building. In neo-noir, this centripetal space does not seem to captivate filmmakers any longer, being the post-modern *locus* fundamentally anonymous and emphatic of new forms of alienation (Abrams, 2007: 8).

One perfect example can be found in Quentin Tarantino's *Reservoir Dogs* (1992), where most of the action takes place inside a warehouse, an uncharacteristic space that will, however, be the perfect locus for some of the most disturbing scenes of this violent film. The warehouse is the rendezvous point where the surviving members of a gang reunite, after a diamond heist gone wrong. The police had showed up at the robbery site, thanks to an inside informant, Mr. Orange. It is also inside the warehouse that sadistic Mr. Blonde tortures Marvin Nash, the epitome of the good cop, by slashing his face and ear, while dancing around to "Stuck in the Middle with You", a song by Stealers Wheel, played on the radio. This is one of the most twisted scenes of the film, which led some of the audience members to walk out, and established the warehouse as a genuine place of nightmare.

### **3. Criminals who succeed and detectives who fail**

Film noir depicted masculine aggressiveness, and — one of its key ideological aspects — the dominance of the *femme fatale* over vulnerable males in love. The devilish Phyllis Dietrichson in Billy Wilder's *Double Indemnity* (1944), Kitty Collins in Robert Siodmak's *The Killers* (1946), or Kathie in Jacques Tourneur's *Out of the Past* (1947) are some of the most well-known examples. The *femme fatale* corresponds to the romantic stereotype of the she-devil, beautiful and destructive, thanks to her sexual allure e twisted mind. As the French expression indicates, in *film noir*, these women ruined both men and themselves in the process.

According to some feminists, *femme fatale* is a masculine construct, reflecting the male insecurity over the changing roles of women, which took part during and immediately after the

Second World War (1939-1945). Since many women entered the sphere of the workplace, and took several jobs and tasks traditionally assigned to men, they gained economic independence, and relegated setting up a family to a secondary position (Buckland, 1998: 92). In the context of film noir, demonizing women who had seized power could be a misogynous attempt to return them to their antebellum role, and reinstating masculine supremacy (Hirsch, 1999: 7).

In neo-noir films, the revamped equivalent to the *femme fatale* still leads men into temptation, but she does not destroy herself and, frequently, gets away with murder (Holt, 2006: 27). For instances, in Paul Verhoeven's erotic thriller, *Basic Instinct* (1992), Johnny Boz, a former rock star and proprietor of a night club, is tied to bed with a white scarf and stabbed to death with an ice pick, while having sex with a mysterious blonde. Detective Nick Curran, from San Francisco Police Department, a man who struggles to control his hostility, is called to investigate, together with his fellow, Gus Moran.

He interrogates the enigmatic Catherine Tramell, who is the prime suspect, since she used to date Johnny, and was with him in the night the murder occurred — though she denies having killed him. Catherine is a wealthy woman, has a BA both in Psychology and Literature, and writes mystery novels, one of which describes in accurate terms the murder of a former rock star, similar to Johnny's. Could her book be an alibi prepared in a long advance? Or was the crime the work of a copycat murderer?

As the action unfolds evidence points, first towards Roxy, Catherine's lesbian lover, and later to Beth Garner, a psychiatrist who attended the same university as Catherine, and had had a brief liaison with her. Together with Catherine, these women embody the typical *femme fatale* — however, only one of them survives, in the epilogue.

Both Nick and Catherine live in an obsessive relationship, fueled by torrid sex, and this involvement, together with the writer's capability to manipulate people, threatens to change the course of the investigation. Near the end of the film, evidence found in Beth's apartment (a gun and copies of Catherine's novels) seem to indicate beyond the shadow of a doubt she was the criminal. With the mystery *apparently* solved, both Nick and Catherine seem to be free to "Fuck like minks, raise rug rats and live happily ever after" (Verhoeven, 1992). However, in the last scene, when Nick and the writer have sex, the camera pans down to show an icpick ominously lying on the floor, giving the impression that the true killer is yet to be caught, and that Catherine, the *femme fatale*, had managed to escape the not-so-long arm of the law.

Another typical character in film noir and neo-noir is the tough police detective or private-eye. This element was almost absent during the sixties and seventies, but returned in full glory in the eighties. Chronologically, there are three types of detectives in the history of fiction. The classic detective, embodied by Sherlock Holmes, in the narratives by Sir Arthur

Conan Doyle (1859-1930), was a predominant figure during the 19<sup>th</sup> century. In the twentieth century, detectives like Philip Marlowe, in Howard Hawk's *The Big Sleep* (1946) or Sam Spade, in John Huston's *The Maltese Falcon* (1941), chase gangsters and keep the city clean (Abrams, 2007: 9). In his essay, "The Simple Art of Murder" (1944), Raymond Chandler describes this kind of detective: "[he] must be, to use a rather weathered phrase, a man of honor, by instinct, by inevitability, without thought of it, and certainly without saying it" (Dargis, 2003: 38).

However, in neo-noir, directors take a different approach to the character of the special agent, criminal investigator or private eye. He is frequently presented as a morally ambiguous man — like Harry Callahan, in *Dirty Harry* (1971) —, dealing with personal issues — as it is the case of David Mills in *Seven* (1995) —, who fails, at least partially, in his mission to solve the crime or bring the villain to justice — like Jake 'JJ' Gittes, in *Chinatown* (1974).

The latter is a retro noir film, set in Los Angeles during the late thirties, which won an Academy Award in 1975 for Best Original Screenplay for writer Robert Towne, and was also elected for preservation in the United States National Film Registry. This psychological drama is pervaded with nostalgia, has a convoluted plot, and presents a not so happy ending. The protagonist, a private detective named Jake, has been hired by three different individuals, each one with specific motivation. The first one is a woman who falsely claims to be Mrs. Evelyn Mulwray, wife of Hollis Mulwray, a civic engineer for the Los Angeles Department of Water and Power. She suspects her husband may be having an extramarital affair with a younger woman and, therefore, wants Jake to spy on him, to confirm or refute this possibility. The second client is the *real* Mrs. Mulwray, who hires the private eye to investigate the death of Hollis, who was found drowned, in a freshwater reservoir, strangely with salty water in his lungs. Finally, Jake's third and most disquieting client is Noah Cross, Evelyn's father, who wishes to know where Katherine Cross, Mulwray's lover, is presently living.

Throughout the film, Jake does not seem to be a very competent detective, despite his sincere efforts to solve the water scandal. Not only is he cheated by his clients (starting with the false Mrs. Mulwray, who knows more about the intricate situation than he does), but he also appears to be always one step behind the events related to the crime. For instances, when he seeks out Mulwray at the reservoir, he finds out that the police had been called and arrived first. When, at night, he returns to what then seemed to be the crime scene, to gather evidence, he gets caught by water department security, Claude Mulvihill, and his vicious partner, who cuts his nostril, explaining: "You are a very nosy fellow, kitty cat. You know what happens to nosy fellows? No? Wanna guess? No? Okay. They lose their noses" (Polanski, 1974). His bandaged nose, the symbol of a castration, can also be read as a sign that Jake will not be able to provide a solution for the case (Hirsch, 1999: 152-153). Later, while investigating the surrounding orange

grows, he is confronted by some farmers who, thinking he might be the responsible for the drought, beat him up.

Near the end of the picture, Jake's efforts become almost pathetic. He falls in love with the widow, Mrs. Mulwray, but is unable to have her successfully flee to Mexico, or to prevent her from being shot; he is taken away a pair of bifocal glasses, the only physical evidence against Cross, the man behind the drought, orchestrated to depreciate the land; he puts the pieces of this intricate puzzle together, but fails to transmit his interpretation of the events to the authorities. The end is tragic in nature, and proves to be devastating to Jake, when he realizes that Evelyn is dead. As Jason Holt summarizes:

Gittes lacks the wherewithal to negotiate the increasingly dark vicissitudes of the neo-noir world. While less capable, less admirable than their classic-era prototypes, they are, for that very reason, more realistic. Efforts to correct injustice often enough fail, and, in the face of this unpleasant fact, sometimes the best that one can hope for is stoic resignation. As Gittes is finally told: 'There's nothing you can do, Jake. It's Chinatown'. (Holt, 2006: 27)

#### **4. Amorality is the name of the game**

In classic film noir, most of the characters were immoral or, at least, morally ambiguous, leading the audience to reflect, and generating an atmosphere where black and white gave way to many shades of gray (Borde and Chaumeton, 2002: 2). Those villains and *femmes fatales* were nearly always punished for their crimes and transgressions, since the Production Code demanded poetic justice, according to the ethical and moral principles of the forties and fifties. Its preamble read: "No picture shall be produced which will lower the moral standards of those who see it. Hence the sympathy of the audience shall never be thrown to the side of the crime, wrongdoing, evil or sin" (quoted in Maltby, 1998: 242).

Moreover, gangsters like Caesar Enrico Bandello in Mervyn LeRoy's *Little Caesar* (1931), or Tony Camonte in Howard Hawks's *Scarface* (1932) were punished precisely because they were or desperately tried to be *successful*, as Robert Warshow maintains:

No convention of the gangster film is more strongly established than this: it is dangerous to be alone. And yet the very condition of success makes it impossible not to be alone, for success is always the establishment of an individual pre-eminence that must be imposed on others, in whom it automatically arouses hatred; the successful man is an outlaw. The gangster's whole life is an effort to assert himself as an individual, to draw himself out of the crowd, the final bullet thrusts him back, makes him after all, a failure. (...). In the deeper layers of the modern consciousness, all means are unlawful, every attempt to

succeed is an act of aggression, leaving one alone and guilty and defenseless among enemies: one is punished for success. (Warshow, 1970: 133)

Neo-noir films present a different approach: firstly, the thug gets away with murder, proving that “good things happen to bad people”. Secondly, as I have pointed out, the tough police detective or private-eye, like Sam Spade, were replaced by more humanized characters, who sometimes fail in their mission. Finally, there seems to be an indifference regarding moral principles, beginning with the lack of respect towards the value of human life. In Tarantino’s *Reservoir Dogs* (1992), for instances, there is this dialogue between two criminals, code-named Mr. Pink e Mr. White. Mr. Pink asks: “Did you kill anybody?” Mr. White answers: “A few cops”. Mr. Pink asks for confirmation: “No real people?” Mr. White happily replies: “Just cops” (Tarantino, 1992). Mark Conard comments on the pervasiveness of amorality in neo-noir:

There’s no god’s eye perspective or absolute commandment to say, for example, that you shouldn’t murder people or that you should tell the truth. There are only individual perspectives about these things, and there’s no way to argue or prove that one perspective is more correct than another. (Conard, 2007: 112)

Amorality is much more than just a sign of the times. It becomes a process of emphasizing realism; surprising the audience with the complete subversion the traditional happy ending; and humanizing both the villains, whose motives become clearer, and the heroes, whose flaws and limitations bring us closer to them and reveal the true dimension and heroism of their fight.

There is a new tone of black in these pictures: contemporary directors changed the genre’s classic conventions and archetypes, combining *auteurism* and traditional characteristics (Buckland, 1998: 97). Borrowing and twisting the well-known tag-line of Jules Bricken and Lawrence Doheny’s *Naked City* (1958-1963), one can say: there are millions of stories in film *neo-noir*. And each director tells one of them.

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### Abstract

In classic film noir, villains and *femmes fatales* were always punished for their crimes and transgressions. The Production Code demanded poetic justice, according to the moral principles of the forties and fifties. However, neo-noir films take a more realistic approach to life: on one side, the thug gets away with murder, proving that "good things happen to bad people"; on the other side, the tough police detective or private-eye was replaced by more humanized characters — morally ambiguous men or women who deal with existential issues. In this paper: a) I give evidence of how neo-noir film directors creatively use time and space to generate an atmosphere of insecurity and fear; b) I present and examine several examples of criminals who succeed and detectives who fail; c) I analyze the moral implications of these changes.