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Damned qualifies as a ıquiry into the past . . ."

Movies about the past can engage us only if they tell us something that we don't already know. In *The Sorrow and the Pity* Marcel Ophuls brought a historian's curiosity and a novelist's insight and compassion to the subject of French collaboration with the Nazis. His new film, **The Memory of Justice**—a mammoth documentary on the Nuremberg trials and more recent war crimes—achieves the same unexpected, piercing illumination of the past. This movie doesn't have the artistic unity of *The Sorrow and the Pity*. The subject is much larger and more unwieldy, and so *The Memory of Justice* is perhaps by necessity a rougher, more rambling work. There are bewildering sections that seem extraneous; the film is not organized as lucidly as one might have hoped.

But then, the virtue of Ophuls's films is that they are not tied up and labeled as neatly as other documentaries. Although the film runs close to five hours with an intermission, I was never bored. Ophuls's astonishingly alert mind provides the energy. *The Memory of Justice* is basically an inquiry into the question of whether it is possible to formulate legal and moral precepts by which nations and individuals can be judged for crimes committed during wartime. As in his other films, Ophuls takes the time to create full-blooded characters. The memorable characters range from the undiluted evil of Hermann Goering—who comes across as a charming, cynical monster in the newsreel footage from Nuremberg—to the simple dignity and nobility of an American father who blames himself for his son's death in Vietnam because he did not urge him to resist the war; and there are all shades of gray in between. The film contains remarkable interviews with several unrepentant Nazis and with one young German who believes the Americans built the gas chambers at Dachau to embarrass Germany; but Ophuls also includes some footage of his own film students at Princeton, who talk about "alleged" war crimes of the Nazis. Ophuls's interviews prove that the young have no sense of history; the purpose of his films is to keep us from forgetting.

Ophuls brings his inquiry up to the present by considering the connection between the principles applied at Nuremberg and American actions in Vietnam. Avoiding the opportunity to draw facile parallels, Ophuls presents different points of view—Daniel Ellsberg's contention that America's leaders were as guilty as Hitler and Goering, and Nuremberg prosecutor Telford Taylor's belief that distinctions must be made—and allows us to draw our own conclusions. American viewers will be angry to learn that many Nazi war criminals are now prospering in Germany. But how many Americans have been held accountable for our crimes in Vietnam? Ophuls's subject is moral indifference, and without simplifying the issues, he implicates all of us in his speculation. Unlike *Bound for Glory*, *The Memory of Justice* is a historical film that subverts complacency. At the end Ophuls turns the questions back to us, and the questions trouble the mind long after this extraordinary movie is over.

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