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recognition of the role the Yale jurist played in the legislation.”³ The compensation amounts specified in that 1938 bill remained unchanged for 66 years, until they were increased by The Justice For All Act of 2004.

A less well-known aspect of Borchard’s career is that as one of the world’s leading experts on international law, he was a life-long advocate of U.S. neutrality. He was a vocal critic of the United States’ entry into WWI – arguing that there was no national interest to do so. He was also the country’s leading legal professional opposed to 1936’s so-called “Neutrality Bill.” In his January 1936 testimony before the House Foreign Affairs Committee, Borchard described the bill as misnamed because it altered established rules of international law that ensured the United States’ neutrality in disputes between other countries. Borchard prophetically told the Congressional committee that the bill “would be likely to draw this country into the wars it is intended to avoid.”⁴

In 1937 Borchard co-authored the seminal work advocating U.S. neutrality, *Neutrality for the United States* (rev. ed. 1940). After his worst fears about what would result from the failure of the U.S. to follow neutral policies were realized and the country became embroiled in WWII, Borchard opposed the federal government’s disregard for the rights of Americans in the name of national security. Borchard wrote briefs in two of the most important cases to reach the Supreme Court involving challenges to the U.S. military’s summary imprisonment of 120,000 innocent Japanese-Americans in concentration camps. The two cases were *Hirabayashi v. U.S.*, 320 U.S. 81 (1943), and *Korematsu v. U.S.*, 323 U.S. 214 (1944).⁵

In June 1950 Borchard retired after 33 years as a member of Yale Law School’s faculty. He died in July 1951 at the age of 66.

Sources:

Edwin Montefiore Borchard, *Dictionary of American Biography*, Supplement 5: 1951-1955.

Endnotes:

1 European Systems Of State Indemnity For Errors of Criminal Justice, by Edwin Borchard, 3 *J. Am. Inst. Crim. L. & Criminology* 685, May 1912 to March 1913. Available on JD’s website, www.justicedenied.org/borchard_1913.pdf

2 The Case of Sacco and Vanzetti, by Felix Frankfurter, *Atlantic Magazine*, 1927

3 Edwin Borchard, Law Expert Dead, Obituary, *New York Times*, July 22, 1951.

4 Neutrality Bill Is Called Peril, *New York Times*, January 10, 1936.

5 For background information about *Korematsu v. United States*, see, “In Memoriam, Fred Korematsu (1919-2005),” *Justice:Denied*, Issue 28, Spring 2005, p.5.

David Janssen – a.k.a. Dr. Richard Kimble a.k.a. The Fugitive



house who either murdered Kimble’s wife or knew who did. Kimble’s quest was hampered by being a fugitive from the police, since he escaped from the train taking him to the death house after he was wrongly convicted of his wife’s murder.

Although actor David Janssen starred in four television series from 1957 to 1975, his most memorable role was his four year portrayal as Kimble.¹

Janssen’s role as Kimble touched a nerve in viewers. Many prisoners wrote Janssen that they too had been wrongly convicted. People around the country reported sighting a suspicious one-armed man. A southern pris-

From 1963 to 1967, many millions of people throughout the world watched *The Fugitive* and Dr. Richard Kimble’s four-year pursuit of the one-armed man he saw running from his

on warden changed his mind when prisoners threatened to riot after he announced that he intended to stop them from watching *The Fugitive*. In England a grass-roots action committee formed by viewers was successful in persuading Granada TV to reverse its decision to take the program off the air as a bad influence.²

Kimble was exonerated when the mystery surrounding the death of his wife was resolved in *The Fugitive*’s final episode in August 1967. That program was the highest rated program in U.S. television history up to that time. Four decades later it is still the third highest rated episode of a television series in history.³ Janssen was so popular as Kimble that the series finale was seen by many times more people than saw the 1993 movie version in theaters, that starred Harrison Ford as Kimble.

David Janssen died of cancer at the age of 48 in 1980.

Endnotes:

1 David Janssen’s four series were:

- *Richard Diamond, Private Detective*. Four years, 1957-1961.
- *The Fugitive*, Four years, 1963-67.
- *O’Hare, United States Treasury*. One year, 1971.
- *Harry O*. Two years, 1974-75.

2 *The Fugitive* website, <http://www.nostalgiacentral.com/tv/drama/fugitive.htm>

3 Only the final episode of *M*A*S*H* (1983) and the Who Shot JR? (1980) episode of *Dallas* outrank it. *All-Time Top-Rated TV Programs*, http://www.chez.com/fibler/tvstats/misc/all_time.html

The Fugitive debuted on September 17, 1963 as an hour-long weekly ABC television series. The plot of *The Fugitive* was straightforward: Dr. Richard Kimble saw a one-armed man in his headlights running away from his house as he arrived home one night. When he went inside he found his wife Helen dead in their living room. Kimble had been seen by neighbors arguing with his wife earlier that evening – so the police didn’t believe his story about the one-armed man, and neither did the jury that convicted him of murdering her. It looked to them like he had murdered his wife and tried to manufacture an alibi for himself by leaving and then returning home. An innocent man sentenced to death, Kimble was able to escape when the train carrying him to death row wrecked. He was thus given a reprieve from the grim reaper, and a chance to embark on what turned into a four-year search for his wife’s killer.

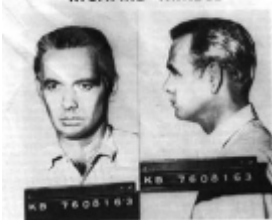
However a twist in the storyline of *The Fugitive* from the beginning of the series in 1963

The Lost Days Of The Fugitive

by Hans Sherrer

WANTED

INTERSTATE FLIGHT - MURDER
RICHARD KIMBLE



DESCRIPTION
Criminal Record

to its final episode in 1967, was what makes the series unique in television history. Week after week, year after year, as Kimble pursued his Don Quixote like quest for his wife’s killer, strangers from one end of this country to the other helped him. While not always knowing Kimble’s identity at the beginning of an episode, the people he befriended each week, who he rented a room from, or who had given him a job, knew who he was by the end of the program. Yet knowing he was an escaped convicted murderer – of his wife no less – those people believed in his innocence and helped him elude capture. How did they help Kimble? They would give him money, or a tip on where to maybe look next for the one-armed man, or try to keep the police one step behind him by telling them when questioned, that he went in a different direction than he had actually gone, or by denying that they had seen him.

Lieutenant Philip Gerard was Kimble’s nem-

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