

Video Guide

12 Angry Men

96 minutes, bw, video, 1957

Talk about fascinating examples of evidence, reasoning and social psychological concepts! *12 Angry Men* goes inside the jury room to present what at first appears to be an open and shut case. Guilty of first degree murder! But did the defendant (an 18 year old male) stab and kill his father? Eleven of the jurors are convinced. The judge had given instructions to the jury: "Vote not guilty if there is a reasonable doubt in your mind as to the guilt of the defendant." The eleven had no doubt.

"Careful critical thinking is nowhere more important than in a jury room. Whether justice is done or injustice perpetrated, whether a defendant receives a fair trial or a plaintiff gets a fair hearing: all that ultimately turns on the care and skills with which jurors reason. Furthermore, the jury setting is ideal for the study and practice of critical thinking. All the skills required of an effective reasoner are abundantly illustrated in the formidable tasks confronting a conscientious juror." (Bruce Waller, *Critical Thinking: Consider the Verdict*, 1988, p. vii)

Although jury deliberations can have life and death meaning, you will be faced with many decisions needing critical thinking. As a citizen in a democratic society, you have the responsibility to critically evaluate the ideas proposed by others so that you can vote intelligently for those you consider most capable. Daily you "encounter advertisements, the evening news, news magazines, opinion journals, scientific reports, editorials, textbooks -- all making claims (sometimes contradictory) and sometimes slanting the material presented. Sorting these out, distinguishing fact from speculation, weighing competing theories and interpretations require the same reasoning skills required of an effective and responsible juror." (Waller, 1988, p. 2).

"Is the information we receive accurate and dependable? It should be, since all of us use this information to understand others and ourselves. We make decisions based on this information. Unfortunately, much of the psychological information we encounter is incorrect, incomplete, or misleading. Such information, if believed, could easily lead to poor decisions." (James Bell, *Evaluating Psychological Information*, 1995, p. 1)

"The jury system itself is widely considered one of the most fundamental of our democratic institutions. It is as traditional in Anglo-Saxon culture as is the common law itself. In the film *12 Angry Men*, jurorman No. 11, an immigrant, reminds his fellow Americans how privileged they are to be 'notified' that they are to serve as jurors and pass judgment on the fate of a stranger, not because of their education or family affiliations but simply because of their citizenship. The defendant in this film is not only the boy but the jury itself and not just this jury but the entire jury system itself, as the Anglo-American mind conceives it. Reginald Rose, the co-produced of the film and script writer for the 1954 CBS's 'Studio One' television show on which the film is based, clearly understands the privilege and importance of the juror's role in a democratic system; Rose further democratizes the jury person's role by omitting names for his jurors. Numbered but not named, they comprise a cross-section of American society; that their value for Rose is as social representative rather than as individuals is also clear from the brief character descriptions that introduce his script. Nevertheless, Rose's cultural and historical context still reveals itself: the jury

is composed of 12 angry [white] men, the feminine gender is not represented except for one eye witness who's referred to but not present; and when ethnic prejudice is focused upon, in the case of one juror, it's more overt than is **common** in our time." (Henry Nardone, "Using Twelve Angry Men To Teach Basic Concepts In Critical Thinking, Paper presented at Eleventh Annual Critical Thinking Conference, 1991, pp. 2-3) You may notice that the juror who holds out at the start is dressed in a white suit!

"In the film *12 Angry Men* the jurors' inability to recognize that the evidence is ambiguous is, perhaps, the moral of the story. Their failure is not so much a function of the evidence but of the prejudices, guilt, secret hostility that each juror carries within him. In short, it is a function of the psychological flaws of the twelve human beings, who are assembled from a random venire list to pass judgment on a stranger. . . The emotional outbursts which punctuate the story serve as reminders that decisions are not always made by the brain but often by the emotions. This is what makes the film ultimately so unsettling. It becomes clear how close these men came to committing a grave error, and we see that it is quite possible that they and others like them might err in the future....

"The subject of *12 Angry Men* associates it with crime pictures. Any jury movie involves the quest for truth, which is a basic theme in detective movies. The differences, however, are all-important: *12 Angry Men* is not a thriller but a realistic attempt to examine the working of a social institution designed specifically to elicit truth. Its vitality and usefulness for teaching basic concepts on critical thinking stems from its demonstration that truth is rarely of the factual kind perceived directly without an inductive or deductive struggle. It in a real situation, it often happens that we encounter versions of truth, making the determination of justice into an extremely complex, often unsatisfactory, matter. Most of the jurors in *12 Angry Men* move from an initial position of certainty about their verdict to an appreciation of what it means to talk about a 'reasonable doubt,' as their initial solid opinions dissolve in the presence of reinterpreted 'facts' and additional evidence. " (Nardone, 199 1, pp. 3-4)

Nardone (1991, p. 6) discusses some of the characteristics of an ideal juror. "Critical thinking is not just the ability to make good inferences and see the logical aspects of a situation, it is also a matter of having certain dispositions, for example, the disposition to address an issue or a problem with an open mind, systematically and thoroughly rather than impulsively and carelessly. A critical thinker needs certain virtues, such as the courage to stand on his convictions and the patience to wait for the evidence which may contradict his or her expectations.

“A critical thinker must be actively involved in the search for evidence, thinking actively, not passively; a person with a good mind is not a mere receptacle into which information is poured but a person who questions the accuracy of the information he or she receives and seeks to see if it has any underlying principles and patterns. The main consideration for a critical thinker is not merely that some fact, idea, or theory is true but why it is regarded as so, asking what basis is there for believing that idea or theory. Thus, the critical thinker knows more than a lot of facts.. .and is able to support these with reason and evidence.

“While critical thinkers realize that the search for truth involves a societal and community effort, nevertheless, they are also able to think independently without yielding to pressures from their friends and peers. They don’t ‘go along just to get along’ ; they don’t merely absorb ideas from others like a sponge, or merely mouth the ideas of others like a parrot. Ideal critical thinkers are ones who, in short, understand the basis of their beliefs and values. ”

The movie starts at the conclusion of a trial. The defendant is an 18 year-old boy, apparently of Hispanic heritage, who is said to have killed his father after an argument with a switchblade knife. When the first vote is taken, 11 voted guilty of murder. What is the evidence that had 11 voting guilty of murder?

- (1) The son and father did not get along, they had an argument around 8pm, the father hit the son twice, and the son left.
- (2) A middle-aged woman said she had watched the murder from her bedroom window around 12 midnight while a darkened empty elevated train was passing on the tracks between her and the scene of the crime (the father’s apartment).
- (3) An old man who lived below the father’s apartment said he heard the son say “I’m going to kill you. ” Then a second later he heard something hit the floor. A few seconds later he heard the son run out of the apartment and saw him from the back as he looked out his apartment door.
- (4) A switch blade knife with an unusual handle killed the father and the son had owned such a knife, but said he had lost it through a hole in his pocket. The storekeeper said he had sold the boy the knife which looked like one-of-a-kind.
- (5) The son had a troubled and violent history with knives.
- (6) The son said he had been out to the movies between 11:30pm and 3: 10 am but could not remember what he had seen or who the actors were when questioned by the police.
- (7) The boy’s lawyer seemed to think the boy was guilty.

Watch for examples of psychological and social psychological concepts in the film: for example, group process, prejudice, conformity, cognitive dissonance, persuasion.

Seating Arrangement In The Jury Room

1. Foreman and Physical Education Teacher - at the head of the table
2. Bank Clerk - to the foreman's left, bald, glasses,
3. Head of Messenger Service - last holdout, personally wanted to put the kid away, yelled a lot
4. Stockbroker - very thick glasses, did not sweat, calm
5. Mechanic - grew up in slums, knew about using switchblades
6. House painter - wore sports shirt, "I will lay you out," muscular
7. Salesman (at the end of the table) - wore hat, turned on fan, threw paper into the fan
8. Architect - (played by Henry Fonda) - wearing white suit, one holdout
9. Retired Older Man - older man
10. Garage Owner - used stereotypes, bald
11. Watchmaker - well dressed
12. Advertising Man - to the foreman's right - switched views often

Questions To Consider:

1. What examples of social psychological concepts did you notice? Explain.
2. Which three jurors would you label as demonstrating good critical thinking skills? Explain your answer.
3. Which three jurors would you say showed little critical thinking ability? Explain your answer.
4. What evidence and reasoning cast doubt about each of the 7 key pieces of evidence?
5. What would you say are the best examples of good critical thinking?
6. What did you learn from the film?
7. Have you ever worked in a group on a controversial issue? What did you notice about how people dealt with the evidence and reasoning?
8. Has this film and your thinking about it had an impact on your own thinking? Explain.

Example Answer: Thoughts on the video *Twelve Angry Men*

I learned three major things from the film *Twelve Angry Men*. (1) The propaganda technique of bandwagon can influence even juries. (2) Evidence must be evaluated and stand up to scrutiny before one decides what is to be believed. (3) Many examples of good and bad thinking were demonstrated.

I learned from the film that the bandwagon can influence even juries. When the foreman called for the first vote, eleven jurors voted guilty and one not guilty (juror #8). Not all of the eleven that voted guilty did so with conviction. Some of the eleven seemed very reluctant, but raised their hands and seemed to go along with the rest, giving credence to the bandwagon technique. Later, after some of the evidence had been initially discussed, juror #8 said that "If anyone else votes not guilty, then we'll stay and talk it out. If you all vote guilty, I'll change my vote to guilty and we can leave." I was puzzled by this comment because he would then be giving up his view to conform to the majority and a man's life was on the line. He appeared to agree to go along with all the rest (the bandwagon) but counted on someone else changing and admitting to what they really felt, a reasonable doubt, Juror #9 changed and voted not guilty stating that #8 needed support and he wanted to hear more analysis of the evidence (an example of good thinking).

I also learned from the film that the evidence (apparently facts) did not stand up to scrutiny and became less than facts, which brought out a lot of good and bad thinking. The key evidence was listed as follows: the old man who lived downstairs claimed that at approximately 12: 10 a.m. he heard loud noises, someone says "I'm gonna kill you," a loud thump, and saw the boy run by his apartment a floor below the killing. The coroner fixed the time of death around midnight. A woman claimed to have seen the boy stab his father through the windows of a passing EL train. Neighbors claimed they saw a fight earlier between the boy and his father.

The jury started looking closer at all of the evidence. Juror #8 stated that he couldn't see how two slaps would cause the boy to commit murder (good thinking); and juror #5 stated that they were there to find out whether he was innocent or guilty, not to judge where he came from (good thinking). Juror #8 brought up that the defense attorney let too many things go by and that he didn't ask enough questions (good thinking). He said that he kept putting himself in the kid's place; there was one eyewitness and a lot of circumstantial evidence; and people make mistakes, so couldn't they be wrong (a lot of good thinking)?

Juror #3, who liked to scream and yell, then stated that the boy admitted leaving at 8:00; went to a shop and bought a switchblade knife; met friends at 8:45 at a tavern; left at 9:45; the knife was identified in court; went home at 10:00; went to the movies from 11:30pm to 3 : 10am; the knife fell out of hole in pocket; and no one identified him at the movie to corroborate his statement. Juror #8 said that it was possible that someone else had found the knife; a coincidence is possible (good thinking). He then produced a knife exactly like the one used to stab the father. All assumed that the knife was unique and so it was the boy's which was used in the murder. Juror #8 had checked around the neighborhood and found the same knife in a pawn shop. He used good thinking to check an assumption.

It was next determined that it takes a six-car EL train approximately 10 seconds to pass a point, and the woman claimed she saw the stabbing through the last two cars. Juror #8 stated he thought that any testimony that puts a boy into the electric chair should be accurate so they needed to discuss it (good thinking). Juror #9 then said that he had watched the old man for a long time in court. He noticed that he had a tom jacket and walked dragging a leg. He believed that the old man had never had any recognition, that nobody knew him, and that it was a sad thing to be nothing, so maybe he made himself believe it for his " 15 minutes of fame" (good observation and thinking). Juror #5 then changed his vote to not guilty and juror #8 said that the lawyer didn't make a good case, maybe for many reasons. Juror # 11 wanted to know how he was caught by the police because if he'd killed his father, why did he come home to be caught? He didn't think the boy would go back if he had actually killed his father (good thinking). Juror #7 then said that the kid was guilty and wanted to know

why they didn't just listen to the facts (poor thinking). Juror # 11 said that there was a reasonable doubt in his mind (good thinking). Juror #7 stated that the old man may have been confused, so how could he be sure about anything (good thinking, but I don't think he realized what he was really saying).

The jurors then set up a recreation of the events to check whether or not the old man was capable of hearing what he claimed to have heard and made it to the door in time to see the boy run away, because of his bad leg. They tested this theory and found that he probably did not make it to the door in the time he had stated. Juror #3 became very angry, and juror # 11 said that they were not there to fight and that they had nothing to gain or lose; "we have a responsibility and we shouldn't make it a personal thing" (good thinking). Juror # 10 then spoke up and said that he was sick and tired of facts (bad thinking), so Juror # 11 stated that maybe he didn't understand the term reasonable doubt (good thinking). Juror #8 next brought up the fact that the boy couldn't remember the actors' names or the names of the movies he had seen. He asked if anyone could remember details after an upsetting experience and his father dead in the next room (good thinking).

The jury then went on to the switchblade evidence and juror #5 said that anyone familiar with a switchblade uses it underhanded, not overhanded. He showed them how (good thinking). Juror # 11 spoke up and wanted to know who had the right to play with a man's life, so vote the way you think is right thinking, because he thought he was not guilty (good thinking). Juror # 10 got very angry again and said that "these people lie and don't need any reason to kill; they're violent by name. I've known a couple that are OK. Few do any good. Don't you know about his type?" He was stereotyping and showing just how prejudiced he actually was (poor thinking). At this point, the rest of the jurors turned their backs on him, and juror #8 said that it was difficult to keep prejudice out of it but they (9 of them) had a reasonable doubt (good thinking). He went on to say, "Prejudice always obscures the truth" (good thinking). Juror #4 brought up that the woman saw the boy stab "the wrong way," but the facts said that it was unshakable testimony and he didn't see how they could vote for acquittal (bad thinking).

At this point, juror #9 brought up the fact that he had noticed that the woman testifying had marks on her nose that glasses make and that she kept rubbing them (good observation and thinking). Jurors # 1 and #4 also saw them, but juror #4 said that he had never thought about it before and that no one wears glasses to bed (good thinking). Juror #8 speculated that maybe she thought she saw it, but her eyesight was now in question (good thinking), and juror #4 said that he now had a reasonable doubt (good thinking).

In the end, only juror #3 held out saying that the boy was still guilty and, "I don't care if I'm alone, it's my right. Everything says he's guilty and it's all been twisted (bad thinking). You're not going to intimidate me. I'm entitled to my opinion." He finally broke down, started crying, and said not guilty. I am not sure why he changed his mind.

I learned from this movie that facts and events may not be what they seem. It is very important to carefully examine and scrutinize all of the evidence before attempting to make any judgment, especially when someone's life is on the line. The bandwagon technique, over generalizing, ignoring evidence, accepting assumptions, and the acceptance of eyewitness testimony were all shown in the video. Some of these things I missed during the class showing but I noticed them on a second viewing. So taking a second look is again demonstrated to be a key concept to move to improved thinking.

Example Answer: Idea Notebook on 12 Angry Men: Important ideas I want to retain and use in my life.

1. Each of us sees, hears, and interprets events from our own perspective. The main example I remember from the film was the last hold-out. He had a poor relationship with his son who had run away two years earlier. His view of sons were that they were ungrateful and violent based on his relationship with his son. Everything he saw and heard was influenced by that relationship.
2. The facts do not speak for themselves. That is a factual statement. "I'm going to kill you." That statement could mean someone will be killed. Or it could be the lines of a play. Or it could be stating a feeling but not an action. Or it might be a statement as a part of a sports event.
3. What appear to be facts are often assumptions which are embedded within the facts. An unusual switchblade knife that none of the jurors had seen must mean it was the **son's**. Henry Fonda produced a duplicate knife he had gotten the day before from a pawn shop in the neighborhood of the murder.
4. Discussion by a jury without critical thinking will just go in circles. Critical thinking involves questioning each piece of evidence to see if it holds up. Do we always remember what we saw at the movie? One jury was asked to recall and could only come up with a partial answer. Maybe the boy had been so upset that he did not pay attention to who was in the film.
5. Facts inconsistent with other facts must be carefully assessed. If the women saw the murder while an elevated train went by, how could the man below hear anything? Elevated trains are very noisy.
6. Check out how likely the witness was to have seen what he reported. The old man was slow and walked with a limp. Could he have gotten across his full apartment to look out the door and see the boy dashing down the stairs? The jurors checked out the distance and found that he probably could not have done what he said he did.
7. Noticing the little details can be crucial. That is why 12 minds are better than one. The woman testified she clearly saw across the tracks that it was the son stabbing the father. But it was observed that she had two points on the bridge of her nose suggesting that she wore glasses. She did not have glasses on in court. She said she was asleep in bed but awoke and looked through the train to see the son doing the stabbing. But her time sequence suggested she would not have had time to put on her glasses. Could she have clearly seen at night without her glasses? Probably not.
8. Substituting prejudice for thinking has to be guarded against in each of us. "**Those** people don't tell the **truth.**" "**They** are always getting into **trouble.**" "**They** are **violent.**" The film showed how the prejudiced jurors each got shot down.

9. Emotional appeals and propaganda techniques are often used when thinking is too much effort. As time passed, more and more of the jury resisted these short cuts.
10. Eyewitnesses are primary sources, but can make mistakes. The old **man's** story did not hang together nor was it likely that the women could have clearly seen what she said she saw.
11. The **boy's** attorney did not seem to believe the boy and did not put much effort into his defense. The **boy's** attorney was probably wrong about the guilt of the boy. The attorney may not be in the best position to know what happened.
12. Evaluating evidence involves careful analysis and thinking. It was interesting how the group worked to check out each piece of evidence when pushed. In some cases only one or two people noticed or caught something that became important. This movie showed the value of more than one thinking head. Many of us don't put in the time and effort that is needed to go beyond the surface. One juror seemed to vote with the majority rather than do his own thinking. He was like a ping pong ball.
13. Often quick solutions are desired. Quick solutions may be wrong. In this case the first quick decision was wrong for 11 men. They assumed that since there were two eye witnesses who had placed the boy at the murder that he had done it. They assumed that what everyone said was accurate except for what the boy said.
14. Special knowledge can come in handy. One man knew how you use a switch-blade. It was different than what the others thought. The boy would not have stabbed his father coming down.
15. Sometimes a coincidence has occurred. Looking at something by itself suggests one conclusion. Taking a second look may result in another conclusion. Was it possible that there were two knives that looked the same? Did the shop salesperson really sell the knife that was the murder weapon? Was he asked to look just at the one knife or were several presented? Lineups can be biased by who is put into the lineup.
16. How do you get others to change their opinions? The film was very interesting in showing how the loner got others to change their opinions. He raised questions, he suggested things might have happened differently, and he did not usually directly confront others until he had more support.
17. Some people have difficulty sticking to the topic. They bring in irrelevant evidence and topics. Asking for the relevance, "**So** what does it mean?" is a good question to ask and keep asking.
18. One way to persuade others is to point out the facts. But what are the facts. Assumptions, opinions, and hypotheses often get stated as facts. Furthermore, the facts are usually from a perspective, a viewpoint, a person's view. There may be limitations to those **SO-**

called facts.

19. Sports pervades our culture. We are either a winner or loser. Bring that philosophy into the jury room sets up sticking to our position even what he does not make sense. The jury is a cooperative effort to evaluate the evidence, not a game to get a winner and a loser.

Here are some phrases related to thinking.

1. He is guilty. Nothing you said can change my mind.
2. Guilty. You **can't** trust kids.
3. You **can't** refute the facts. Those are the facts.
4. Personal biases can cloud our judgment.
5. Getting defensive and not accepting that we may be wrong is certainly a block to sound reasoning. The idea of a jury is to have **12** different people go at the evidence from many perspectives.
6. Is there anything that is certain?
7. Being rushed for time thwarts good thinking.
8. The fear of being different limits thinking.
9. If you speak loudly, you are more likely to convince others. Yelling means you have a good argument. Not.
10. Name calling leads nowhere except to emotional responses and frustration. **"You** would have to be an idiot to believe **that."**
11. Working together involves skills that many people don't have or use very often. Joint problem solving involves skills that can be learned.
12. Data can be rearranged to support different conclusions. Have we fairly looked at all of the relevant data? Of how we selectively chosen that which supports our view?

12 Angry Men is a movie I plan to come back to periodically to get me thinking again about solid evidence and sound reasoning (critical thinking).