

American Values through Film

Lesson Plans
for English Teaching
and American Studies

English Language Office

Public Affairs Section • U.S. Embassy Moscow

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American Values Through Film: Lesson Plans for Teaching English and American Studies

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HOW TO USE THIS CD-ROM

This CD-Rom has a collection of PDF files that require Adobe Acrobat Reader (AAR). The AAR is loaded on this CD and should launch or install automatically when you put the CD in. You will need the AAR your computer in order to use the CD.

Here is how to use the CD-Rom:

Insert the CD into the CD drive of your computer. The program should launch/turn on automatically and you should use the File, Open command to open any of the PDF files you wish to use.

If the CD does not automatically launch when you insert it into your CD drive, please launch it manually by clicking on the PDF files that look like this on your screen

The CD has 7 individual PDF files, each with some material related to the teaching of English through film and individual lesson plans. Each PDF file has a selection of lesson plans written by teachers of English in Russia. The PDF files are organized according to the title of film.

The lesson plans in each PDF file correspond to the movies listed below. You may open each PDF file and print the pages you wish to use.

To print any material from the PDF files, it is essential to look at the page numbers that appear in the middle of the screen when you are in the PDF files: They will say, for example, 1 of 100. You may print all lesson plans or just the individual ones you want from different universities/authors. BEWARE! If you do not select specific pages to print, you may end up printing all contents of the CD --usually 100 pages or more.

American Values through Film: Lesson Plans for the English Teaching and American Studies

By Bridget F. Gersten, Ph.D.
English Language Officer for the Russian Federation
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No matter where in the world, film has an enchantment all of its own, uniting people from many walks of life and forming a creative cultural space. Growing up in the American Southwest, in Arizona, I saw my first Hollywood movies with my family. I still cherish memories of those outings to see life writ large on the big screen. As a teenager, my friends and I use to make it a point to get to any “sneak preview” we could, namely so we’d be among the lucky few to see a premiere before it made its way to the masses. Then, we sometimes would see the same film over and over, creating our own cult classics. Later, in college, I enjoyed getting away to the movies, both in English and in other languages, at local movie theatres with friends. During that time, a whole other world of cinema opened up to me and I created my own circle of cherished screen favorites, trying to become well-versed in the contributions of directors, producers, and other dimensions of film. To this day, I eagerly look forward to the release of new films starring my favorite actors, especially “indies” or independent films that distinguish themselves as a genre that is a different breed than Hollywood blockbusters.

Most of us have our own connections with cinema, a magical world through which we can live out our dreams and aspirations, a place where we can get away from it all, one where we can face our fears and contemplate new possibilities, somewhere we can escape to, into a Technicolor world that allows us to create and recreate the world and even ourselves.

In educational circles, much has been written about the value of film in the classroom. In fact, there are scores of books, journal articles, and web sites devoted to the topic of how to integrate film into the classroom successfully. From my earliest days of teaching, I remember how the idea of showing a film in class “as is” was not considered pedagogically sound teaching. I learned the importance and value of pre-viewing, while-viewing, and post-viewing activities to engage students actively in the learning process.

In this CD-ROM collection, you will find a wealth of lesson plans written by teachers of English across Russia. These authors are teachers and scholars that come from 23 institutions from 18 cities across this vast nation, including Abakan, Belgorod, Irkutsk, Izhevsk, Kazan, Krasnoyarsk, Krasnodar, Moscow, Omsk, Saransk, Saratov, Togliatti, Tomsk, Tver, Vladimir, Voronezh, Yekaterinburg, Yoshkar-Ola. The authors who collaboratively worked on this project spent many hours viewing and reviewing films, compiling a set of lessons for classroom use with other colleagues at their institutions. The project, sponsored by the English Language Office of the Embassy of the United States in Moscow, was a first-of-its-kind one, focusing on the many ways to explore themes and values through film. Though the title of this project

was *American Values through Film*, the main objective was to use American values as the springboard for discussion about values in general and values specific to communities within the Russian Federation.

I hope you will have a chance to use the films and resources presented in this CD-ROM collection, together with the lesson plans put together by ELT colleagues in Russia.

Happy Viewing,
Bridget F. Gersten, Ph.D.
May1, 2006

Letter of Thanks

A special note of thanks should go to the following authors of the lesson plans on this CD ROM. Without their contributions and dedication, this project would not have been possible.

Abakan: *Katanov State University of Khakasia*

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Irkutsk: *Irkutsk State Railway Transport University*

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American Values through Film Project

Checklist for Review of Lesson Plans for Classroom Use

Prepared by Bridget F. Gersten, Ph.D.
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Here are some ideas that you may find useful when putting together lesson plans or when reviewing these prior to use with colleagues.

Format and Components of the Lesson Plan. Does your lesson plan include the following, at the beginning of the plan:

- what level or type of students (majors) it is intended for
- themes, objectives and skills to be focused on in each lesson/section of the film
- duration of each lesson (in minutes/class blocks)
- sections devoted to the topic of study, e.g., values

Do you use a **specific font or numbering system (e.g., bullets)** to show other teachers using the plan where exercises and activities appear, for ease of readability?

Is the format easy for another teacher to use? Does the plan make use of headings, bold, spacing, and/or italics, to make it easy to use by another person?

Spell check/Language Revision. Have you run a spell check on your lesson plans? Have you checked for consistency in the use of American and/or British English?

Vocabulary/Memorization. How is vocabulary handled in the lesson plans: Are words listed? Is translation provided? Are these reviewed before, during, and/or after the plan? Do vocabulary activities go beyond the “word” level, asking students to do something other than translate and/or recognize words? What other reading or vocabulary skills can be addressed in your plan via an activity related to the film? To enhance reading and/or vocabulary skills, is there something beyond “memorization” that can be given as a task when memorization is an activity you give in the lesson plan?

Sources/Copyright. Are all sources used in the lesson plan properly noted/cited if full text is borrowed from another source and not the lesson plan authors’ own words? For example, if you have taken any text from the Internet or a printed source, have you included the **author, title, date, and page number** as a bibliographic reference, whether taken verbatim (word for word = quote) or paraphrased? Encouraging correct source citation will provide students with the opportunity to avoid plagiarism. Images (photographs, graphics, tables, etc.) taken from another source should be cited as well, giving the website or other source of the source.

If you have included **Appendices, scripts, or other material** beyond what you yourself composed/authored/wrote in the lesson plan, have you acknowledged the source in a bibliographic reference?

Discussion of Values + Cross-Cultural Comparisons: Does your plan have exercises/tasks/activities that ask students to focus on or respond to the themes, values, and content of the film as a springboard for cross-cultural (Russia-America, global, etc) comparison of values, the theme of this film project? Would this be useful to add?

Pre-, While-, and Post-Viewing Activities. Does your plan include activities that have students actively engaged and commenting on or reacting to the information in the film and/or class before they view, while they view (stopping the film), and after they view? Do these appear in each lesson? Are they focused on speaking, reading, listening, vocabulary, grammar, writing and/or a combination of these? Why?

Complexity of Questions Asked/Use of Yes-No Questions/ Critical Thinking. Including “Why”, “How”, and “Imagine” questions vs. “What”, “Where”, “When”, and “Who” questions. Using *why, how, and imagine*... questions, together with questions that ask students to judge, evaluate, and critically analyze, will allow for more critical thinking/higher order thinking skills vs. recall and memorize. Questions that ask students to “put yourself in the shoes of” or “Imagine you...” enhance critical thinking and creativity as well. Does your plan include why and how questions? How often are yes/no and True/False questions used? Do these generate as much language and thinking that you would like to get?

Here are some ideas on tasks/activities you might include in your plans that enhance critical thinking and language use. You may want to pay attention to the action verbs that could be the basis for activities:

<http://schools.sd68.bc.ca/coal/pg/canada/bloompic.JPG>

<http://www.biology.lsu.edu/heydrjay/Bloom's%20Taxonomy.gif>

<http://www.maslibraries.org/infolit/samplers/images/bloom.gif>

<http://www.apa.org/ed/circle.gif>

Four Skills: How well does the plan integrate the four skills: reading, writing, listening, and speaking?

Integration of Skills. Can any of your activities in the lesson plan be used as a springboard for another activity that involves another skill? For example, after a writing assignment, students could be instructed to give a summary of their report to the whole class, a small group, or a partner (in pairs). What is the advantage of doing this?

Cultural Thinking: How much does the plan give students an opportunity to examine cross-cultural issues and compare to their own personal experience? Does this incorporate discussions about values or things that matter in their personal or professional lives?

Group and Pair work. How well does the lesson plan incorporate activities where students work in small groups and pairs, even if for a fraction of the lesson time when the plan is used?

Internet Research. Are students required to do additional reading or research on the internet, related to the topic or language in the film(s)?

Web Sites: Are full URLs provided in the plan? Would it be useful to annotate (provide a short description of) each site?

Using the Counter on the VHS machine: Consider using the counter settings from the VHS to help other teachers locate specifically which where the segment of the film appears that is associated with a particular exercise or set of exercises.

Drama/Skits. Do your lesson plans ask students to act out any part of the script or improvise based on the script? What value would it have to include exercises of this type?

Personal Experience/Parallels. In your lesson plans that focus on values, do you have an activity that allows students to bring in their personal experience and opinion or reflect on the application of what is discussed in the film to realities in Russia or in your community?

Images/Graphics. Have you incorporated any activities in the lesson plan that draw on images related to the questions or tasks at hand, as integral or supplementary parts of the lesson plan? A good source of images is Google.com Images. Please be sure to include any URL of an image you use from the Internet and ***cite this source in your plan*** (tell where you got it from).

Is there a clear task (and skills practice) associated with each use of an image?

Graphic Organizers. Does your plan include any graphic organizers, e.g., charts that are used by students to transfer and/or transform information for analytical purposes? These can be used to help students understand better both language and content.

Teachers' Tips. Do you include any instructions or guidelines for teachers who use the plan? What sorts of tips could you use?

Description of Films in American Values through Film Project

Source: Amazon.com film reviews

Film

Cultural Value/Contemporary Issue

Erin Brockovich (2000)
activism

Role of women in citizen environmental

Broke and desperate, the twice-divorced single mom Erin (Julia Roberts) bosses her way into a clerical job with attorney Ed Masry (Albert Finney), who's indebted to Erin after failing to win her traffic-injury case. Erin is soon focused on suspicious connections between a mighty power company, its abuse of toxic chromium, and the poisoned water supply of Hinkley, California, where locals have suffered a legacy of death and disease. Matching the dramatic potency of *Norma Rae* and *Silkwood*, *Erin Brockovich* filters cold facts through warm humanity, especially in Erin's rapport with dying victims and her relationship with George (superbly played by Aaron Eckhart), a Harley-riding neighbor who offers more devotion than Erin's ever known. Surely some of these details have been embellished for dramatic effect, but the factual basis of *Erin Brockovich* adds a boost of satisfaction, proving that greed, neglect, and corporate arrogance are no match against a passionate crusader.

Twelve Angry Men (1957)
law

Jury system; citizen participation in rule of

Sidney Lumet's directorial debut remains a tense, atmospheric (though slightly manipulative and stagy) courtroom thriller, in which the viewer never sees a trial and the only action is verbal. As he does in his later corruption commentaries such as *Serpico* or *Q & A*, Lumet focuses on the lonely one-man battles of a protagonist whose ethics alienate him from the rest of jaded society. As the film opens, the seemingly open-and-shut trial of a young Puerto Rican accused of murdering his father with a knife has just concluded and the 12-man jury retires to their microscopic, sweltering quarters to decide the verdict. When the votes are counted, 11 men rule guilty, while one--played by Henry Fonda, again typecast as another liberal, truth-seeking hero--doubts the obvious. Stressing the idea of "reasonable doubt," Fonda slowly chips away at the jury, who represent a microcosm of white, male society--exposing the prejudices and preconceptions that directly influence the other jurors' snap judgments. The tight script by Reginald Rose (based on his own teleplay) presents each juror vividly using detailed soliloquies, all which are expertly performed by the film's flawless cast. Still, it's Lumet's claustrophobic direction--all sweaty close-ups and cramped compositions within a one-room setting--that really transforms this contrived story into an explosive and compelling nail-biter.

To Kill a Mockingbird (1962)

Racial tolerance; jury system

Ranked 34 on the American Film Institute's list of the 100 Greatest American Films, *To Kill a Mockingbird* is quite simply one of the finest family-oriented dramas ever made. A beautiful and deeply affecting adaptation of the Pulitzer Prize-winning novel by Harper Lee, the film retains a timeless quality that transcends its historically dated subject matter (racism in the Depression-era South) and remains powerfully resonant in present-day America with its advocacy of tolerance, justice, integrity, and loving, responsible parenthood. It's tempting to call this an important "message" movie that should be required viewing for children and adults alike, but this riveting courtroom drama is anything but stodgy or pedantic. As Atticus Finch, the small-town Alabama lawyer and widower father of two, Gregory Peck gives one of his finest performances with his impassioned defense of a black man (Brock Peters)

wrongfully accused of the rape and assault of a young white woman. While his children, Scout (Mary Badham) and Jem (Philip Alford), learn the realities of racial prejudice and irrational hatred, they also learn to overcome their fear of the unknown as personified by their mysterious, mostly unseen neighbor Boo Radley (Robert Duvall, in his brilliant, almost completely nonverbal screen debut). What emerges from this evocative, exquisitely filmed drama is a pure distillation of the themes of Harper Lee's enduring novel.

Seabiscuit (2003)

Overcoming the odds; persistence through hardship

Proving that truth is often greater than fiction, the handsome production of *Seabiscuit* offers a healthy alternative to Hollywood's staple diet of mayhem. With superior production values at his disposal, writer-director Gary Ross (*Pleasantville*) is a bit too reverent toward Laura Hillenbrand's captivating bestseller, unnecessarily using archival material--and David McCullough's familiar PBS-styled narration--to pay Ken Burns-like tribute to Hillenbrand's acclaimed history of Seabiscuit, the knobby-kneed thoroughbred who "came from behind" in the late 1930s to win the hearts of Depression-weary Americans. That caveat aside, Ross's adaptation retains much of the horse-and-human heroism that Hillenbrand so effectively conveyed; this is a classically styled "legend" movie like *The Natural*, which was also heightened by a lushly sentimental Randy Newman score. Led by Tobey Maguire as Seabiscuit's hard-luck jockey, the film's first-rate cast is uniformly excellent, including William H. Macy as a wacky trackside announcer who fills this earnest film with a much-needed spirit of fun.

All the President's Men (1976)

Investigative journalism rooting out government corruption

It helps to have one of history's greatest scoops as your factual inspiration, but journalism thrillers just don't get any better than *All the President's Men*. Dustin Hoffman and Robert Redford are perfectly matched as (respectively) *Washington Post* reporters Carl Bernstein and Bob Woodward, whose investigation into the Watergate scandal set the stage for President Richard Nixon's eventual resignation. Their bestselling exposé was brilliantly adapted by screenwriter William Goldman, and director Alan Pakula crafted the film into one of the most intelligent and involving of the 1970s paranoid thrillers. Featuring Jason Robards in his Oscar-winning role as *Washington Post* editor Ben Bradlee, *All the President's Men* is the film against which all other journalism movies must be measured.

Dances with Wolves

A historical drama about the relationship between a Civil War soldier and a band of Sioux Indians, [Kevin Costner's](#) directorial debut was also a surprisingly popular hit, considering its length, period setting, and often somber tone. The film opens on a particularly dark note, as melancholy Union lieutenant John W. Dunbar attempts to kill himself on a suicide mission, but instead becomes an unintentional hero. His actions lead to his reassignment to a remote post in remote South Dakota, where he encounters the Sioux. Attracted by the natural simplicity of their lifestyle, he chooses to leave his former life behind to join them, taking on the name Dances with Wolves. Soon, Dances with Wolves has become a welcome member of the tribe and fallen in love with a white woman who has been raised amongst the tribe. His peaceful existence is threatened, however, when Union soldiers arrive with designs on the Sioux land. Some detractors have criticized the film's depiction of the tribes as simplistic; such objections did not dissuade audiences or the Hollywood establishment, however, which awarded the film seven Academy Awards, including Best Picture.

High Noon

This Western classic stars [Gary Cooper](#) as Hadleyville marshal Will Kane, about to retire from office and go on his honeymoon with his new Quaker bride, Amy ([Grace Kelly](#)). But his happiness is short-lived when he is informed that the Miller gang, whose leader ([Ian McDonald](#)) Will had arrested, is due on the 12:00 train. Pacifist Amy urges Will to leave town and forget about the Millers, but this isn't his style; protecting Hadleyburg has always been his duty, and it remains so now. But when he asks for deputies to fend off the Millers, virtually nobody will stand by him. Chief Deputy Harvey Pell ([Lloyd Bridges](#)) covets Will's job and ex-mistress ([Katy Jurado](#)); his mentor, former lawman Martin Howe (Lon Chaney Jr.) is now arthritic and unable to wield a gun. Even Amy, who doesn't want to be around for her husband's apparently certain demise, deserts him. Meanwhile, the clocks tick off the minutes to High Noon -- the film is shot in "real time," so that its 85-minute length corresponds to the story's actual timeframe. Utterly alone, Kane walks into the center of town, steeling himself for his showdown with the murderous Millers. Considered a landmark of the "adult western," *High Noon* won four Academy Awards (including Best Actor for Cooper) and Best Song for the hit, "Do Not Forsake Me, O My Darling" sung by Tex Ritter. The screenplay was written by [Carl Foreman](#), whose blacklisting was temporarily prevented by star Cooper, one of Hollywood's most virulent anti-Communists. [John Wayne](#), another notable showbiz right-winger and Western hero, was so appalled at the notion that a Western marshal would beg for help in a showdown that he and director [Howard Hawks](#) "answered" *High Noon* with [Rio Bravo](#) (1959). *Hal Erickson*

Copyright and Fair Use Guidelines for Teachers

CLASSROOM COPYRIGHT CHART			
Medium	What You Can Do	According to	The Fine Print
Printed Material			
<ul style="list-style-type: none"> Poem less than 250 words Excerpt of 250 words from a poem greater than 250 words Articles, stories, or essays less than 2,500 words Excerpt from a longer work (10% of work or 1,000 words, whichever is less--but a minimum of 500 words) One chart, picture, diagram, graph, cartoon or picture per book or per periodical issue Two pages (max) from an illustrated work less than 2,500 words (like childrens books) 	Teachers may make multiple copies for classroom use.	United States Copyright Office <i>Circular 21</i>	No more than one copy per student. Usage must be: At the "instance and inspiration of a single teacher" and when the time frame doesn't allow enough time for asking permission. Only for one course in the school. No more than nine instances per class per term (current news publications such as newspapers can be used more often). Don't create anthologies. "Consumables" can't be copied. Don't do it every term (if time allows, seek permission). Can't be directed by "higher authority." Copying can't be substitute for buying. Copies may be made only from legally acquired originals.
<ul style="list-style-type: none"> A chapter from a book An article from a periodical Short story, short essay, or short poem Chart, graph, diagram, drawing, cartoon, picture from a book, periodical or newspaper 	Teachers may make a single copy for teacher use for research or lesson preparation.	United States Copyright Office <i>Circular 21</i>	Same as above.

<ul style="list-style-type: none"> • Portions of a work • An entire work • A work if "the existing format in which a work is stored has become obsolete" 	<p>A librarian may make up to three copies "solely for the purpose of replacement of a copy...that is damaged, deteriorating, lost or stolen"</p>	<p>Section 108 Copyright Act (1976) as amended by the Digital Millennium Copyright Act</p>	<p>The library must first determine that after "reasonable investigation that copy...cannot be obtained at a fair price" or that the format is obsolete.</p>
<p>Text for Use in Multimedia Projects</p>			
<ul style="list-style-type: none"> • Same rights as "Printed Material" above 	<p>Students may incorporate text in multimedia projects. Teachers may incorporate into multimedia for teaching courses.</p>	<p><i>Fair Use Guidelines for Educational Multimedia</i></p>	<p>Teachers may use for two years, after that permission is required. Students may keep in portfolio for life.</p>
<p>Video</p>			
<ul style="list-style-type: none"> • Videotapes (purchased) • Videotape (rented) • DVD • Laser Discs 	<p>Teachers may use these materials in the classroom without restrictions of length, percentage, or multiple use</p> <p>May be copied for archival purposes or to replace lost, damaged, or stolen copies.</p>	<p>Section 110 of the Copyright Act</p>	<p>The material must legitimately acquired (a legal copy). It must be used in a classroom or similar place "dedicated to face-to-face instruction". Not for use as entertainment or reward. The use should be instructional. The place should be a non-profit educational institution.</p> <p>If replacements are unavailable at a fair price or are available only in obsolete formats (e.g., betamax videos).</p>
<p>Video ("Motion Media") for Use in Multimedia Projects</p>			

<ul style="list-style-type: none"> • Videotapes • DVD • Laser Discs • QuickTime Movies • Encyclopedias (CDROM) 	Students "may use portions of lawfully acquired copyrighted works in their academic multimedia", defined as 10% or three minutes (whichever is less) of "motion media"	<i>Fair Use Guidelines for Educational Multimedia</i>	"Proper attribution and credit must be noted for all copyrighted works included in multimedia, including those prepared under fair use." <i>Tina Ivany, UC San Diego 12/08/95</i>
Video for Integration into Video Projects			
<ul style="list-style-type: none"> • Videotapes • DVD • Laser Discs • QuickTime Movies • Encyclopedias (CDROM) 	Students "may use portions of lawfully acquired copyrighted works in their academic multimedia"	<i>Fair Use Guidelines for Educational Multimedia</i>	The material must legitimately acquired (a legal copy, not bootleg or home recording).
Illustrations and Photographs			
<ul style="list-style-type: none"> • Photograph • Illustration • Collections of photographs • Collections of illustrations 	Single works may be used in their entirety but not more than 5 images by an artist or photographer. From a collection, not more than 15 images or 10%, whichever is less.	<i>Fair Use Guidelines for Educational Multimedia</i>	Older illustrations may be in the public domain, but the collection may be copyrighted.
Music for Integration into Multimedia / Video Projects			
<ul style="list-style-type: none"> • Music 	Up to 10% of a copyrighted musical composition may be reproduced, performed and displayed as part of a multimedia program produced by an educator or student for educational purposes.	<i>Fair Use Guidelines for Educational Multimedia</i>	Some authorities site a maximum length of 30 seconds. (www.indiana.edu), some do not mention a maximum (<i>Tina Ivany, UCSD, 12/08/95</i>). See below.

Computer Software			
<ul style="list-style-type: none"> • purchased software • licensed software 	<p>Software may be lent by the library.</p> <p><i>Software may be installed at home and at school.</i></p> <p>Software may be installed on multiple machines.</p> <p><i>Software may be copied for archival use to replace lost, damaged, stolen, copies.</i></p> <p>Software can be distributed to users via a network.</p> <p><i>Librarians may make archival copies.</i></p>	Section 107 and 108 of Copyright Act and subsequent amendments.	<p>Take aggressive action to monitor that copying is not taking place (for retention).</p> <p><i>Only one machine at a time may use the program.</i></p> <p>The number of machines being used must never exceed the number of licensed.</p> <p><i>If unavailable at fair or is an obsolete format.</i></p> <p>The number of simultaneous users must not exceed the number of licenses. A network license may be required for multiple users.</p>
Internet			
<ul style="list-style-type: none"> • Internet connections • World Wide Web 	<p>Images may be downloaded for student projects.</p> <p>Sound files may be downloaded for use in projects (<i>see portion restrictions above</i>)</p>	<i>Fair Use Guidelines for Educational Multimedia & DMCA</i>	<p>Images may not be reposted onto the Internet without permission.</p> <p>Sound or music files may not be copied and posted on the Internet without permission.</p>
Television			
<ul style="list-style-type: none"> • Broadcast • ABC • NBC • PBS • Tapes made from broadcast 	<p>Live "off the air" broadcasts may be used for instruction.</p> <p>Tapes made from broadcasts may be used for instruction.</p>	Congress	<p>Things get interesting when you want to retain tapes.</p> <p>Minimum rights allow for 10 school days. Enlightened rights holders often allow for much more. PBS series <i>Reading Rainbow</i> offers three year retention rights, for example. If you like it enough to keep it more than three years, buy it!</p>

Cable Television			
<ul style="list-style-type: none"> • CNN • MTV • HBO (etc.) • Tapes made from cable. 	May be used with permission. Many programs may be retained for years --depending on the program. Check with Cable in the Classroom. http://www.ciconline.org/main.cfm	Cable Systems (and their associations)	The guidelines for television programs were defined by Congress before cable television was a factor. Cable programs are not technically covered by the same guidelines as broadcast television.
Film or Filmstrip			
<ul style="list-style-type: none"> • 16 millimeter films • filmstrips 	"Teachers may duplicate a single copy of a small portion...for teaching purposes"	<i>Copyright Policy and Guidelines for California's School Districts, California Department of Education</i>	These must be films or filmstrips that you own.
Return for updates to:	http://www.mediafestival.org/copyrightchart.html	Hall Davidson	hall@ccd.edu

Note: In the letter to Congressional Subcommittee Chair Kastenmeier dated 3/19/76 summarizing many of the above agreements, representatives of the Ad Hoc Committee of Educational institutions and Organizations of Copyright Law Revision and the Authors League of America, Inc., and the Association of American Publishers, Inc., state that these guidelines were **"not intended to limit the types of copying permitted under the standards of fair use under judicial decision and which are stated in Section 107 of the Copyright Revision Bill. There may be instances in which copying which does not fall within the guidelines stated [above] may nonetheless be permitted under the criterion of fair use."**

[For more detailed information and references to excellent books on copyright.](#)

[For information on workshops, keynotes, seminars about copyright and other topics regarding technology and education visit http://www.mediafestival.org/halldavidson.html](#)

[pdf. version of this chart](#)

SAMPLE LESSON PLAN BY GABRIEL SKOP, ENGLISH LANGUAGE FELLOW

Twelve Angry Men – Plan 1

The following outline is intended for use in a university-level American Studies course. This outline is necessarily broad, but can easily be adapted for courses in Sociology, Film, Legal English, English Composition, Gender Studies and other subjects.

- Topic:** Citizen participation in the rule of law
- Themes:** What do juries do and why is that important?
What is involved in group decision making?
What is the effect of prejudice on society?
How has the idea of “citizen participation” changed since the 1950s?
- Activities:** Screening of *Twelve Angry Men*
Internet research
Pre- and post-film discussion
Mock trial
Report writing
- Timeline:** Eight to ten hours of in-class activity over a period of one to two weeks

Lesson One

- Whole-group discussion on the background of rendering verdicts

Society has many different approaches for sitting in judgment of those accused of crimes. Some cases are heard solely by judges; others are decided by juries. Still others take place before a tribal council or group of village elders. In some countries, all of these forms of adjudication coexist.

What are the advantages and disadvantages of each of the above forms of decision making?

What exactly is the job of people empowered to decide on the defendant’s innocence or guilt? What skills does this job demand? What challenges are posed in making

these types of decisions? Is it possible to ensure fairness in this decision-making process? How?

- Home task

Research the following three questions as they relate to practices in the United States.

- 1) What is the difference between cases heard only by judges and those which are trials by jury?
- 2) In some cases, a defendant may choose between trial by judge and trial by jury? What factors influence such a decision?
- 3) What is the process for empanelling a jury? (In other words, how are jurors found and what steps must they go through before they actually sit on a jury?)

Additional questions:

- 4) Compare and contrast the jury system in the US with the system in Russia.
- 5) Do you believe you would make a good juror? Are you interested in serving on a jury? Explain.

Study the following key vocabulary.

premeditated murder	reasonable doubt	abstain
verdict	unanimous	foreman
death sentence	slum	acquittal
motive	cross-examination	secret
ballot		
defense	prosecution	mandatory
hung jury	testimony	mercy
alternate juror	open and shut case	orphanage
circumstantial evidence	witness	forgery

Lesson Two

- Screening of *Twelve Angry Men*
- Post-screening discussion in small groups

Each group should consider the following, and prepare to report to the whole group on its conclusions.

In *Twelve Angry Men*, the jury rendered a verdict of “not guilty.” We know this does not assure that the defendant did not commit the crime with which he was charged. However, the jurors were ultimately unanimous that reasonable doubt prevented them from convicting the defendant.

What is reasonable doubt? Why is the standard of reasonable doubt so central to the decision-making process in a murder case? What would be the consequences if this standard of reasonable doubt were removed?

Lesson Three

- An examination of the influences on a jury

Divide the class into three groups. Assign each group one of the following tasks. At the end of a preparation period, each of the groups is to lead the entire class in a whole-group discussion on its assigned topic.

GROUP 1 – Jury Demographics

Looking at the jury depicted in *Twelve Angry Men*, a typical American might react to the lack of diversity represented. Despite the lack of diversity in race and gender, there were other types of diversity. Describe this.

Though there was diversity of experience and thought, is that sufficient? If not, why not? What is meant by the phrase “a jury of one’s peers”? Why is a jury of one’s peers crucial to a fair trial? How can such diversity best be achieved? What might a genuine jury of one’s peers look like in a Russian courtroom? On what do you base the composition of this hypothetical jury?

In the film, how did juror’s backgrounds and prejudices influence the decision-making process? One juror in particular was heard making references to “these people” and many similar comments. How does such behavior contradict the instructions given to a jury by the judge?

Finally, how do you believe either the process or the outcome might have been different had there been women as jurors in *Twelve Angry Men*? Does research on male and female participation on juries support your suppositions? Where might you find this information?

GROUP 2 – Group Process

In the film, the jury went through a remarkable transformation. Initially, eleven out of twelve jurors immediately proclaimed the defendant’s guilt. By film’s end, there was an acquittal by (required) unanimous vote. What factors influence the group decision-making process?

Several jurors at times seemed to feel pressured by others to change their votes. Other jurors were responsible for applying such pressure. Can fairness be maintained in the face of such pressure? If not, what can be done to ensure fairness?

In murder cases, a unanimous verdict is required. What methods did different jurors use to try to reach a unanimous verdict? What are some examples of different approaches used by the various jurors to try to get others to see – and accept – their point of view? Is there a difference between unanimity and consensus? How would you explain that difference? Why do murder cases generally require a unanimous decision?

At one point in the film, when the vote was evenly split, there was talk of a hung jury. They considered sending the case back to the judge because they were at an impasse. What constructive measures can be taken to move a group forward when it appears to be stuck?

What is the role of the jury foreman? Evaluate the performance of the foreman in *Twelve Angry Men*. What suggestions would you have for performing his duties more effectively?

Finally, it may be jarring for a modern viewer to witness one juror reading a newspaper. Jurors are often prevented from reading the newspaper or watching television news. What is the reason for this? Why are juries sequestered? What might happen if these rules were relaxed?

GROUP 3 – The Purpose of Sentencing

Verdicts in a court case can have several effects; they may serve as punishment, rehabilitation, or a deterrent to future crime. How was this issue addressed in *Twelve Angry Men*? Give examples from the comments of different jurors to support your position.

What do you think is the major goal of sentencing, to punish, rehabilitate, or deter crime? Why? Can two of these goals be served simultaneously? How?

Certain countries – the United States among them – have very high rates of incarceration (both relative to other countries and relative to their own rates in previous decades). What are the effects of this on society – both positive and negative? While most agree that dangerous criminals should be locked away to protect society, can most of those currently incarcerated be reasonably considered dangerous? If not, why are they in prison? In Russia, does most sentencing better serve the purpose of punishment, rehabilitation, or deterrence? On what do you base your response?

Lesson Four

- Mock trial

Choosing a recent criminal case from the news that has not yet been tried, stage a mock trial. Assign the following roles: defendant, defense and prosecuting attorneys, judge, jurors, witnesses, courtroom observers, reporters.

- Home task

Write a summary of the mock trial based on your perspective from your assigned role. Include the following in your report:

In what ways did this jury behave differently from the one in the film?

What did you learn about the jury process from participating in the trial?
Why do you believe citizen participation in the trial process is important?

Lesson Five

- Culminating activity – Whole-group discussion

Reflecting on the activities of Lessons One through Four, what are the most important concepts you have learned? What questions remain? What suggestions do you have for reform of the educational system in order to better equip juries to render fair verdicts? What barriers exist to participations of Russians in processes designed to bolster the rule of law? How can such barriers be broken down? If this unit were to be taught to other groups, how could it be done more effectively in the future?

Follow-up activities

- Visit a courtroom trial to learn how juries work in your community
- Develop a consensus-building decision-making process to handle conflicts in your educational institution
- Choose a court case in the news, follow it as the case progresses, and report on the case's progress at a forum in your class

Suggested Study Materials

Burns, J.M., et al. *Government by the People*, 19th ed. Upper Saddle River, NJ: Prentice Hall, 2002. ISBN 0130315672.

Cheney, T.D. *Who Makes the Law: The Supreme Court, Congress, the States and Society*. Upper Saddle River, NJ: Prentice Hall, 1998. ISBN 0134930819.

Feagin, J.R. and Feagin, C.B. *Racial and Ethnic Relations*. Upper Saddle River, NJ: Prentice Hall, 1999. ISBN 0136747221.

Ginsberg, B., Lowi, T.J., and Weir, M. *We the People: An Introduction to American Politics*, 4th ed. New York: W.W. Norton, 2003. ISBN 0393979288 (full ed.).

Githens, M., Norris, P., Lovenduski, J., eds. *Different Roles, Different Voices: Women and Politics in the United States and Europe*. New York: Harper Collins College, 1994. ISBN 0065013069.

Ross, R.S. *American National Government: Institutions, Policy, and Participation*, 4th ed. New York: McGraw-Hill, 1996. ISBN 1561344095.

TWELVE ANGRY MEN

Authors: Svetlana Saprygina
Abakan, Katanov State University of Khakasia

Level: Intermediate and Upper-Intermediate.

This outline can be easily used for the students majoring in Psychology, Linguistics, Sociology, English composition and other subjects.

Topic: Citizen participation in the rule of law.

Activities: Screening of *Twelve angry men*

Pre- and post-film discussion

Composition

Role-Play

Timeline: 8-10 hours of in-class activities

Lesson One

- Whole- group discussion (warming up activity)

Think and say what this film *Twelve Angry Men* is about. Say whether the title suggests where the story takes place, who it is about, and what might happen?

Try to recollect any other names of books or films where numerals are included into the title. Say what they are about. (e.g. The 13th floor – a fantastic film; Ten Little Negroes)

“Anger” – explain the entries into this emotion. Write a list of words to characterize an angry person. Describe any situation when people may be angry. Give advice how to avoid being angry and overcome this state.

- Home task

Study the general information about trial system in your country. Pay more attention to the difference between trial by judge and trial by jury.

Lesson Two

- Screening of *Twelve Angry Men*

While watching the students should jot down the actions and the conflicts identified in the film, write a list of character traits for key figures.

- Home task. Fill in the table reviewing the action of that day

Character	Reaction (thoughts, feelings, hopes, and fears)
#1	
#2	
# N	

Lesson Three

Post-screening activities

- Answer the following questions:

1. What is the accusation?
2. What instructions does the judge give to the jury?
3. What is the procedure of considering the verdict?
4. Is it easy to make a person change his opinion?
5. What arguments can be used to influence somebody's decision?
6. Do you agree that the jury is isolated from everybody while considering the verdict? Prove your answer.
7. Is there any reason that the jurors used numbers instead of their names while considering the verdict?
8. Would you like to be a juror? Prove your answer. Give not less three reasons.
9. What individual rights are realized when the defendant chose the trial by jury?
10. What do you think if death sentence should be used as a punishment nowadays?

- Multiple choice

1. The defendant committed _____.
a) a suicide b) a premeditated murder c) a theft d) a crime
2. The law of considering the verdict is _____ (votes).
a) 50x50 b) 12 to something c) 12 to nothing d) 11 to one
3. _____ jurors participated in the trial more than once.

- a) All b) No one of c) Most of d) Eleven

4. _____ made the jurors change their mind.

- a) Nothing b) Evident innocence of the defendant
c) Tiredness d) Reasonable doubt

- Comment on the following:

A. Comment on the verdict ‘not guilty’.

Having seen the film *Twelve Angry Men*, say whether you are really convinced that the defendant did not commit the crime he was charged with.

B. Comment on the following phrases, taken from the film:

Napoleon truth
get to the point
coincidence is possible

consider a verdict
reasonable doubt
constructive speaking

- Group work

Divide the class into groups. Each group should work out “The code of the Juror”. The rules suggested by students should help a juror to participate in trials, to consider the verdict, to prove his decision. At the end of a preparation period every group presents its “Code” and leads a discussion. At the end of the discussion students are to arrange general rules for a juror.

Lesson Four

- Role-playing

Divide your class into groups; suggest well-known facts or cases to discuss in class. Ask the students to act out the procedure of considering a verdict. They must come to the agreement whether the fact is true or false / the defendant is guilty or not guilty. Remind them that the starting point – one student should be against expressing his hesitation about the case.

TWELVE ANGRY MEN

Authors: Larisa Glatskova, Natalia Ralyk
Irkutsk State Railway Transport University

The following outline is recommended to be used in a university level English course. This outline is broad but can easily be adopted for courses in History, Film, Jurisprudence, Sociology, Reading Comprehension and English Composition.

Level: Pre-intermediate / Intermediate

Themes:

1. America of 50s. Life of the Society with Dwight David Eisenhower
2. The film *12 Angry Men*: Ideas
3. Citizen participation in Rule of Law
4. Role-play “Jury Deliberations and Voting”

Activities:

Screening of *12 Angry Men*
Internet Research
Pre and Post Film Discussion
While-watching activities
Follow-up Activities

Goals: to teach the students to estimate personal and professional skills, to respect personal rights according to the Constitution of the country, to develop the ability to persuade listeners and analyze the facts, and to understand the American history.

Objectives: to encourage students to improve their English by watching the film, observing what goes on, listening to what and how it is said, describing what happens.

Skills: attentive watching, listening, speaking, writing and working in a team.

Duration: twelve/sixteen hours of an in-class activity over a period of one to two weeks.

Structure: 1. Pre-watching section
2. While-watching section
3. Post-watching section

Materials: the posters of the film, a video tape, a video recorder, hand-outs to each lesson (the worksheets, texts).

Note for the teacher: before starting to watch this film with students a teacher should look through the main articles of the American Constitution and get assured that s/he knows its main bills. The system of an American Court should be explained to the students. Reading of the Appendix Material about the American History will be helpful.

PRE - WATCHING SECTION

Lesson 1 America of 50s. Life of the Society with Dwight David Eisenhower

Lesson focuses on America of 50s. The period of Eisenhower's Presidency.

A peak of a postwar prosperity.

Time: 2 hours

Materials: Text 1, Worksheet №1

Procedure:

1. The teacher elicits what the students know about America of 50s. Then s/he speaks about the main events of this period.
2. Study the Vocabulary:

refer to	widely distributed	relationship
affluent	chief executives	avoided
wealthy	crash	interference
satisfying the basic needs	prosperity	to cut taxes
shelter	unemployment	federal involvement in housing
volume	appealing	to erode the city's tax
variety	fatherly image	to carry out
usury	confidence	involvement
benefits	set broad policy guidelines	

- 2.1. Sort the vocabulary, finding the words connected with economy and politics;
- 2.2. Find the synonyms;
- 2.3. Find the antonyms;
- 2.4. Find the explanation of some words in the Text 1.
3. The students read the text, find the main ideas of the paragraphs and entitle each paragraph.
4. The students fill in the Worksheet №1.
5. Class discussion:
 - America of 50s. Life of the Society;
 - Cross Cultural Comparisons of Russia and America in 50s.

The questions for the discussion:

- a. What was the time of Eisenhower's Presidency for the society?

- b. Why did he guide in that way?
- c. What goals did he achieve during his first term?
- d. Why was Eisenhower so popular with the electorate?
- e. How was it reflected on the state's political and social systems?
- f. What did he do to improve water and highway transportation?
Why did he do so?
- g. What departments did he create? Why?
- h. Congress passed the Communist Control Act. What did it limit?
Why was it passed?
- i. What were the main events in the life of America during the second term of Eisenhower? Why did they happen?
- j. What two new states joined the union? When did it happen?
- k. Why did Eisenhower express his concern about the growth of the “military industrial complex” in his farewell address to the nation?

Note to the teacher:

A teacher may discuss the text with the students in the form of a game: s/he gives out the questions written on the cards and the students are to find the paragraph which explains the answer. The titles of the paragraphs could be written on the blackboard and then they can be used as a plan for the discussion of the topic.

Homework

Read the text from Appendix Material to enlarge your knowledge about the History of America of 50s. Make notes on the main facts. Prepare a speech “America of 50s. Life of the Society with Dwight David Eisenhower”

Text 1 Eisenhower's First and Second Terms Life in the 1950s

A During the 1950's observers began to refer to the United States as the world's first affluent, or wealthy, society. They pointed out that the American economy had gone beyond merely satisfying the basic needs of food, clothing, and shelter. It now produced an increasing volume and wide variety of "luxury" goods and services. These benefits were widely distributed among a large number of Americans.

Dwight David Eisenhower, the supreme commander of Allied forces in Europe during 1944 and 1945, was America's greatest hero in the postwar years. In 1952, the Republicans chose him to win the White House back after twenty straight years of Democratic chief executives. No Republican had occupied the White House since Herbert Hoover, whom much of the country had blamed for the crash and Depression. In the 1952 election, Eisenhower soundly defeated liberal Democrat Adlai E. Stevenson and went on to serve two terms in the White House. He left such a mark that the 1950s became popularly known as the Eisenhower years or "the Ike Age."

B The period of Eisenhower's Presidency was a time of relative peace and national unity. The Cold War eased, and the United States enjoyed a peak of postwar prosperity, without serious inflation or unemployment. Most Americans

supported Eisenhower. They were attracted to his appealing fatherly image and regarded him as a symbol of hope and confidence.

C Eisenhower wanted to be known as a President who was above politics and who represented all Americans. Therefore, he did not try to be a strong and active President like Roosevelt or Truman. Eisenhower used the powers of his office to set broad policy guidelines. But he left the details to the White House staff and cabinet members. Eisenhower also stressed a peaceful working relationship with Congress and avoided open criticism of the Supreme Court, Modern Republicanism. Eisenhower's approach to government was what he called "modern Republicanism." This meant backing the basic New Deal reforms while opposing more expansion of the federal government in social and economic affairs.

D Above all Eisenhower supported a free-enterprise economy, in which business could operate with a minimum of government interference. He also wanted to halt the relentless growth of the federal government, and he suggested that the states take over many of its existing programs. During his first term, Eisenhower set out to achieve these goals. He promised to reduce government spending, balance the federal budget, and cut taxes. However, new needs forced government spending to increase. The largest increases were for defense, social security, and veterans benefits. Eisenhower himself even reversed course and favored a limited growth of federal involvement in housing, medical care, and education. For example, in 1955 he signed into law a housing act that financed the building of 45,000 new homes over a four-year period.

E Interested in creating favorable conditions for business growth, the Eisenhower administration backed projects for improving water and highway transportation. With the cooperation of Canada, construction was started on the Saint Lawrence Seaway. By the time of its completion in 1959, the seaway had created an inland waterway connecting ports in the Great Lakes region with the Atlantic Ocean. The administration also promoted the Federal Highway Aid Act of 1956. This law provided federal money for an interstate highway network linking the nation's major cities. At completion, the network would consist of 42,000 miles (67,200 kilometers) of highways. When Eisenhower left office in 1961, more than 7500 miles (12,000 kilometers) were already open to traffic. The Highway Act received strong support from car manufacturers. It furthered the postwar boom in automobile production and sales. As a result, the automobile became the chief means of transportation in the United States.

F During his first term, Eisenhower also carried out the government reorganization begun under Truman. The Department of Health, Education, and Welfare was created in 1953. Now there were two departments – the Department of Education and the Department of Health and Human Services. The administration responded to the threat of communism in its own way. It enforced a loyalty program in the federal government. In 1954, with Eisenhower's support, Congress passed the Communist Control Act. This law

limited the legal rights of the American Communist party and made membership in it virtually illegal.

G The second Eisenhower term was less tranquil than the first. The United States faced many serious problems at home and abroad. In the fall of 1956 American foreign policy suffered major setbacks in the Suez and Hungarian crises. After the 1957 launch of Sputnik 1, many Americans wondered whether the United States was losing its lead in science and technology to the Soviets. As a result, American schools shifted their emphasis from the humanities to the sciences. At the same time racial violence in various parts of the United States showed that real equality still had to be won for many of the nation's citizens.

H In 1959 two new states were added to the union. On January 3 Eisenhower issued a proclamation making Alaska the 49th state – the first new state since Arizona and New Mexico joined the Union in 1912. On August 21, Hawaii became the 50th state. As Eisenhower's second term came to an end, he made it clear that, although he was famous as a man of war, he wanted to be remembered as a President of peace. In his January 1961 farewell address to the nation, he expressed his concern about the growth of the "military-industrial complex," or the close involvement of government and industry in preparing for war.

(Stephen B. Oates. *Portrait of America. From Reconstruction to the Present*. 1999. University of Massachusetts: Boston, USA. - P. 316)

Lesson 2 ***12 Angry Men: Ideas***

The lesson focuses on the analysis of the posters for the film “12 Angry Men” The place of the film in a list of the best films of 50s. Henry Jaynes Fonda is a best actor of the film.

Time: 2 hours

Materials: 3 posters for the film “*12 Angry Men*”; Worksheet №2, Text 2, Text 3, Text 4, Worksheet №3.

Preparation: The teacher attaches the posters of the film on the blackboard (or they may be given to each of the three groups of the students). The teacher gives out the Worksheets №2 and the Texts 2, 3, 4, Worksheet №3.

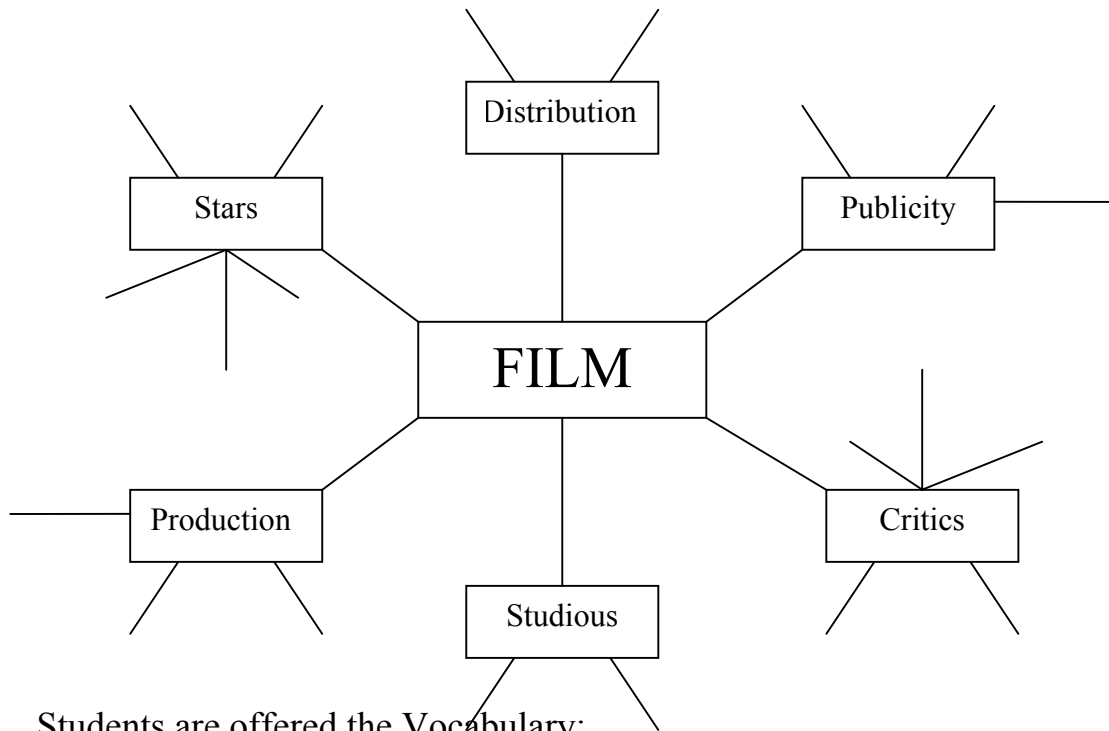
Procedure:

1. Students are asked to think of as many words as possible related to the theme “*Film*”.
2. The teacher draws a circle on the board and writes the word *film* in the middle of the circle.

3. The class is divided into groups of three or four and each group is asked to say and write as many English words they can think of to do with *film*.

4. The teacher elicits the words from the class and writes them on the board.

5. As an alternative the teacher draws on the board the spidergram and writes down some words related to the topic (*Film*), then the teacher asks students to come up with words related to each area (category) of the *Film Business*.



6. Students are offered the Vocabulary:

distinctive cast
portrayals
star-powered cast
considered to be
occurred

filmography
rambling
screen legends
critical praise
ethics

depict
prevail
escapism or truth
inspire
significant

7. Circle the odd word out in each group

- lines script short story screenplay
- stage interval box office commercials
- leading actor director star cameo role
- hit flop blockbuster sell out
- box office success cult movie blockbuster mega-hit
- film buff producer director cameraman

8. These are expressions used to describe plays, films and operas. Which would be used to describe:

- a) a successful production? b) an unsuccessful production?

- 1 It was a hit with the audience
- 2 It bombed
- 3 It played to packed houses
- 4 It got rave reviews
- 5 It flopped
- 6 It was a blockbuster
- 7 It was panned by the critics

(Gille Cunnigam. *Advanced Matters*. 1999. Longman. – P. 57)

9. As a home task students are asked to learn the new vocabulary by heart, add extra words to each area and be ready to explain them next lesson.

10. The class is divided into three groups and each group is given the poster of the film (see the Appendix Material).

11. The students look at the posters and make their predictions about the plot and the main ideas of the film “*12 Angry Men*”

12. The students fill in Worksheet №2 and exchange the information about the poster(s), first, in a small group, second, between the groups and complete the Worksheet №2 about “other” posters. Volunteers summarize the information in front of the class.

13. Each student is given a text (Text 2, Text 3) – within small group students have different texts, they read them and share the ideas within a group, adding new information to that of their groupmates.

14. The students read Text 4 “Henry Fonda’s [Biography](#)” and fill in Worksheet №3. Then they are given Star Legends Criteria and summarize the new information about Henry Fonda, taking into account these criteria. Two or three volunteers speak on a topic “*12 Angry Men* as one of the best films of 50s and Henry Jaynes Fonda is a best actor of the film”.

Text of the cover: Henry Fonda. Lee J. Cobb, Ed Begley and Jack Klugman lead the distinctive cast of jurors whose character portrayals are perfect in every detail. With its star-powered cast and four Oscar nominations including Best Picture.

Genre: Drama

Release Date: January 1, 1957

Running time: 95 minutes

Cast: Henry Fonda, Lee J. Cobb, E. G. Marshall, Jack Warden, Jack Klugman

Director: Sidney Lumet

Note to the teacher: While working with the Vocabulary you may ask the students to write out the adjectives used for description of the film; the text of

the cover is written on the piece of paper or is written on the blackboard but is not shown before the posters are discussed.

Homework:

Memorize the new words. Add extra words to each area and be ready to explain them next lesson. Write a composition on a topic “An American Actor I Like Best”.

Remember the main criteria of a star – actor/actress. Use them as a plan of your composition.

Appendix Materials



www.amazon.com/exec/obidos



www.amazon.com/exec/obidos



Worksheet №2

Questions	1st poster	2nd poster	3^d poster
What is the title of the film?			
Who is on the cover?			
What is his occupation?			
Where does the action take place?			
What words from the film can you find on the cover?			
What do you think of the genre of the film?			

Worksheet №3

Birth name	
Birthday	
Birthplace	
Sign	
Occupation	
Awards	
Date of death	

Text 2

American Film Institute reports:

“The *American Film Institute* in Los Angeles, California selected the 50 greatest "American screen legends" (composed of the top 25 women and top 25 men - defined as actors or a team of actors with a significant screen presence in American feature-length films whose screen debut occurred in or before 1950, or whose screen debut occurred after 1950.

12 Angry Men became one of the best films of 50s.

The best actor was considered to be Henry Fonda.”

[\(www.amazon.com/exec/obidos/\)](http://www.amazon.com/exec/obidos/)

Text 3

"12 Angry Men" was the director's first feature, and yet it continues to stand tall at the top of his filmography. It was not a box-office success in 1957, but it got nominated for three Oscars (including Best Picture), won the Golden Bear at the Berlin Film Festival, gathered much critical praise and received commendation from Eleanor Roosevelt. Today, it is used in high schools and universities to provoke discussions on topics ranging from ethics to the criminal justice system to method acting. The American Film Institute had it on their recent list of the best thrillers of all time.

"12 Angry Men" relates to such rambling thoughts because it sees all the frailty and narrowness of man, and yet convincingly depicts how principle can sometimes prevail in the most difficult situations. I am not sure whether that makes it escapism or truth. This in itself is inspiring.

[\(www.amazon.com/exec/obidos/\)](http://www.amazon.com/exec/obidos/)



Text 4 Henry Fonda's [Biography](#)

Henry Jaynes Fonda (May 16, 1905 - August 12, 1982) was an acclaimed American film actor beloved for his roles as plain-speaking men of humane decency.

Actor

[May 16, 1905](#)

[Taurus](#)

Grand Island, [Nebraska, USA](#)

August 12, 1982 (age 77)

1982 [Academy Awards](#): Best Actor (for *On Golden Pond*)

1982 [Golden Globe Awards](#): Best Actor in a Motion Picture - Drama (for *On Golden Pond*)

1981 [Academy Awards](#): Honorary Award

1980 [Golden Globe Awards](#): Cecil B. DeMille Award Filmography, [Drums Along the Mohawk](#), [Once Upon a Time in the West](#), [12 Angry Men](#).

[Controversial Classics Collection: My Name Is Nobody, The Grapes of Wrath, Battle of the Bulge, Yours Mine and Ours, Midway, On Golden Pond.](#)

[\(www.amazon.com/exec/obidos/\)](http://www.amazon.com/exec/obidos/)

Star Legends Criteria

- **Star Quality:** An actor's charisma and unique personal characteristics that create a strong on- and off-screen presence which is often embraced by audiences as a separate, mythic persona.
- **Craft:** An actor's ability to embody distinctly different characters through the use of strong acting techniques and other creative methods.
- **Legacy:** An actor's body of work that enriches American film heritage and continues to inspire artists and audiences today.
- **Popularity:** An actor's public following over time.
 - **Historical Context:** The role of world events, politics, and changing social mores in shaping, promoting or curtailing a legend's status and career.

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WHILE-WATCHING & POST-WATCHING SECTION

Lesson 3 Citizen Participation in Rule of Law

Time: 6/8 hours

Materials: Worksheet №4, Worksheet №5 (Argument / Evidence-Line)

The lesson focuses on:

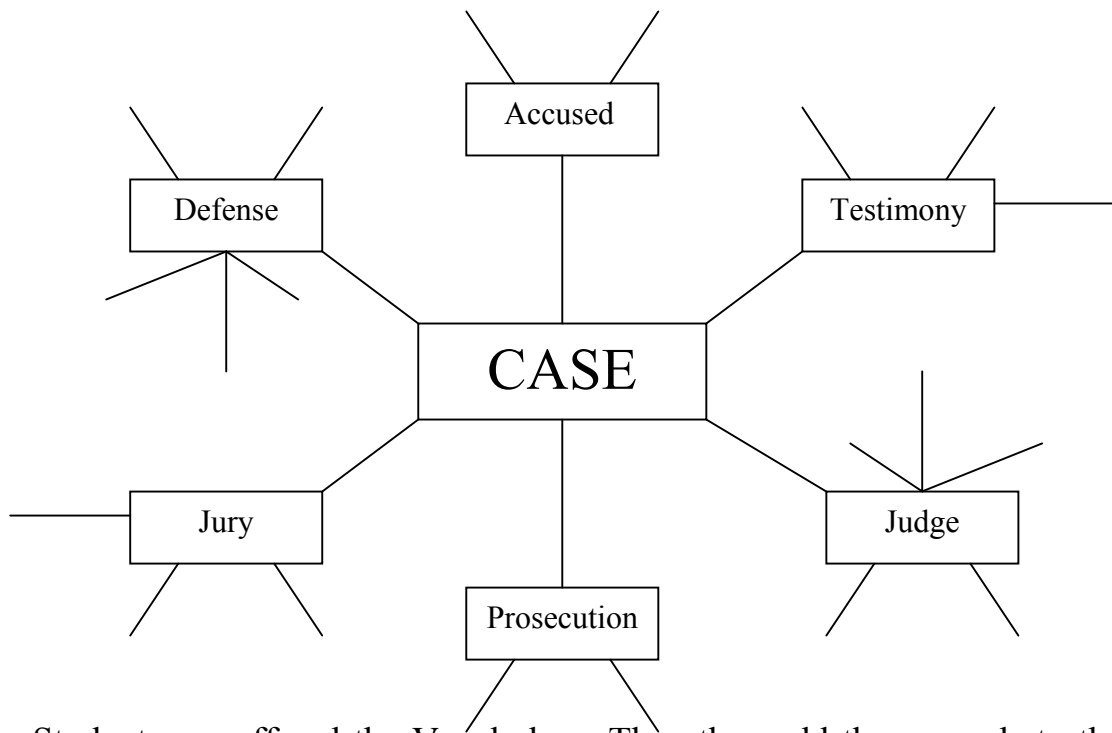
1. the opening scene of the film;
2. Argument / Evidence-Line and citizen participation in the rule of law, how “Even one man in the field is a force”;
3. character’s behavior

Part 1

Procedure:

1. Students are asked to think of as many words as possible related to the theme “*Case*” (*судебное разбирательство*).
2. The teacher draws a circle on the board and writes the word *Case* in the middle of the circle.
3. The class is divided into groups of three or four and each group is asked to say and write as many English words they can think of to do with *Case*.
4. The teacher elicits the words from the class and writes them on the board.

5. As an alternative the teacher draws on the board the spidergram and writes down some words related to the topic (*Case*), and then the teacher asks students to come up with words related to each area (category) of the *Case*.



6. Students are offered the Vocabulary. Then they add these words to the categories:

accused
balanced
calm logical reasoning
clad (p.p. of clothe) in white
concerned
considered a do-gooder
courageous
decent
deliberation
descent
easily persuaded
evidence
infallibility of the Law
instigate

juror
liberal-minded
patient
perceptive
prejudiced jurors
reconsideration
refugee
resurgence of life
resurrect
retiring and resigned to death
slum-dwelling upbringing
soft-spoken / well-spoken
testimony
truth-and-justice seeker

7. Make sentences with new vocabulary at home. Learn the words by heart.

8. The class is divided into pairs. The students work together discussing what might happen in the story and what might happen in the opening scene of the film (Worksheet 4).

9. The students summarize their ideas about the opening scene in the worksheets (students should have enough time to complete the worksheet).
10. Then the volunteers summarize their pair's predictions about the opening scene (accuracy of any predictions is not determined here).
11. The students watch the opening scene of the film and define how close they were in their predictions.
12. A whole-class discussion. Discuss the following questions:
Which pair's predictions were closest to what happens in the opening scene of the film?
How do you feel about the opening scene? Is it interesting?
How do you feel about the characters? Do you like them?
Based on what you have seen and read about this film, would you be interested in seeing the whole film? Why or why not?
13. Discuss as a whole class or in groups, what you think will happen in the next scene of the film:
Where and when will the next scene take place?
Which characters will appear in the scene?
What will happen?
What are some lines of dialogue you will hear?
Imagine you are in a court room as:
 - a) *one of the jurors;*
 - b) *a judge;*
 - c) *an 18-year old slum kid accused of murdering father.**How do you feel being a, b, c?*
14. Watch the second scene and compare your predictions with what actually happens in the scene.

Note for the teacher:

The film opens with the camera looking up at the imposing pillars of justice outside Manhattan's Court of General Sessions on a summer afternoon. The subjective camera wanders about inside the marbled interior rotunda and hallways, and on the second floor haphazardly makes its way into a double-doored room marked 228. There, a bored-sounding, non-committal judge (Rudy Bond) wearily instructs the twelve-man jury to begin their deliberations after listening to six days of a "long and complex case of murder in the first degree." He admonishes them that it is a case involving the serious charge of pre-meditated murder with a mandatory death sentence upon a guilty verdict, and now it is the jury's duty to "separate the facts from the fancy" because "one man is dead" and "another man's life is at stake."

The judge states the important criteria for judgment regarding "reasonable doubt," as the camera pans across the serious faces of the jury members:

If there's a reasonable doubt in your minds as to the guilt of the accused, a reasonable doubt, then you must bring me a verdict of not guilty. If however, there is no reasonable doubt, then you must in good conscience find the accused guilty. However you decide, your verdict must

be unanimous. In the event that you find the accused guilty, the bench will not entertain a recommendation for mercy. The death sentence is mandatory in this case. You are faced with a grave responsibility. Thank you, gentlemen.

As the jury leaves the box and retires to the jury room to deliberate, the camera presents a side-view and then a lingering, silent close-up of the innocent-faced, frightened, despondent slum boy defendant with round, sad brown eyes. [His ethnicity, whether he's Puerto Rican or Hispanic, is unspecified.] The plaintiff musical theme of the film (a solo flute tune by Kenyon Hopkins) plays as the claustrophobic, bare-walled, stark jury room (with a water cooler in the corner and a dysfunctional mounted wall fan) dissolves into view - and the credits are reviewed.

<http://us.imdb.com/title/tt0050083/user>

Part 2

1. The students read their own sentences with new vocabulary and explain the meaning if their classmates ask them.
2. The students are given the Worksheet №5 (Argument / Evidence-Line). They are to fill in the worksheet while watching the film. The teacher makes a stop after each voting. The students write down the main arguments which made jurors change the decision in voting. The students are to make clear: “Why do the jurors’ minds change from voting to voting?” The information about the characters and order in which each of them eventually decides to vote “not guilty” can be taken from the Text 5.
3. After the 5th voting (6:6) it is reasonable to organize group discussion. The students are divided into 3 or 4 small groups, discuss the arguments they have made and make additional notes. Then the teacher organizes whole-class discussion. Questions for discussion:
 - 1) Do you think that citizen participation is important in the rule of law? Why or why not?
 - 2) What were the occupations of the jurors who took part in a jury discussion?
 - 3) How did the men express their negative feelings to those whom they didn't support?
 - 4) Why is the generation of 50s-60s sometimes called “the angry men”?
 - 5) Were the juries interested in the discussion at the beginning?
 - 6) How did their attitude to the case change during the discussion?
 - 7) What is the role of the weather in the film? Why is it shown in such way?
 - 8) What expressions are used to show doubt and what words are used to make the jurors change their minds?
4. How can you comment on the words of juror №8?

It's very hard to keep personal prejudice out of a thing like this. And no matter where you run into it, prejudice obscures the truth. Well, I don't think any real damage has been done here.

Because I don't really know what the truth is. No one ever will, I suppose. Nine of us now seem to feel that the defendant is innocent, but we're just gambling on probabilities. We may be wrong. We may be trying to return a guilty man to the community. No one can really know. But we have a reasonable doubt, and this is a safeguard which has enormous value to our system. No jury can declare a man guilty unless it's SURE. We nine can't understand how you three are still so sure. Maybe you can tell us.

<http://us.imdb.com/title/tt0050083/quotes>

5. Group discussion of Values and Cross-Cultural Comparisons.

The students are asked to focus on the values and content of the film as a springboard for cross-cultural comparison of values.

- Why is a reasonable doubt a safeguard which has enormous value to American System?
- What is the enormous value to Russian Court system? Why?
- Make parallels. If you have your personal experience, speak on it.

Follow-up

As a follow-up or for homework, students design their own film cover or posters and write a one- or two-page summary of all the events on the film clip, and/or their personal reaction to the opening scene they have watched.

Homework:

Write an argumentative composition on the topic “**Even one man in the field is a force**” expressing your own personal opinion.

Note: Use the introduction and conclusion to express your own personal opinion. Use phrases such as “in my opinion” and “I believe” rather than the more emotional “I think”. Remember to include examples and reasons in order to support your opinion. You should begin with your weakest point, if necessary grouping two or three minor points in one paragraph. The last paragraph should contain the most powerful argument. Make sure when expressing a conflicting viewpoint to say why it is wrong.

Part 3

1. The class is divided into groups of three or four and the teacher asks to make a spidergram on the topic “Jury Deliberations” using the following vocabulary and English-English explanatory dictionaries:

abstain	miscarriage of justice
alternate	motive
preliminary ballot	negative rights
case law	open and shut case
circumstantial evidence	positive rights ,
court meeting; session	premeditated murder
cross-examination	prosecution
death sentence	reasonable doubt
defendant's alibi	secret
defense	straight
exclusive rights	testimony
human rights	unanimous
hung jury	verdict
judicial	witness
lawsuit	
mandatory	

2. Each group represents its spidergram and explains the relations within the structure all the rest listen and may agree or disagree and make comments and corrections in their notes. At the end of this activity the students have more or less common spidergram. Volunteers summarize the procedure of jury deliberations using the spidergram.

3. The teacher writes the following questions on the board and the students focus their attention on them:

- *What's the most important thing the character does in the scene?*
- *Do you like or dislike the character?*
- *What are the character's good points?*
- *What are his or her bad points?*
- *Would you act the same way in the same situation?*
- *If not, what would you do differently?*

4. The teacher tells that they are going to watch a scene with twelve characters (Jury deliberations in a Jury room). Their task is to focus on one character and make notes to answer the questions on the board. The teacher tells the students the general nature of the scene, and identifies the various characters. The students are divided into pairs or small groups and allocate a character to each group.

5. The film clip is played twice. Students have time to make notes after each time they watch.

6. Groups discuss their chosen character, using the questions on the board.

7. Groups take turns reporting to the class. A spokesperson from each group summarizes the group's discussion.

Follow-up activities

Students use the questions and memorable quotes (see Appendix Material) which characterize each juror very brightly as a starting point for writing a short composition about a chosen character. Next lesson they get together in groups and read their compositions to one another.

Appendix Material Lesson 3

Text 5

Juror	Characteristics	Actor	Order of voting "not guilty"
Juror №1	(The Foreman): A high-school assistant head coach, doggedly concerned to keep the proceedings formal and maintain authority; easily frustrated and sensitive when someone objects to his control; inadequate for the job as foreman, not a natural leader and over-shadowed by Juror № 8's natural leadership	Martin Balsam	9
Juror №2	A wimpy, balding bank clerk/teller, easily persuaded, meek, hesitant, goes along with the majority, eagerly offers cough drops to other men during tense times of argument; better memory than № 4 about film title	John Fiedler	5
Juror №3	Runs a messenger service (the "Beck and Call" Company), a bullying, rude and husky man, extremely opinionated and biased, completely intolerant, forceful and loud-mouthed, temperamental and vengeful; estrangement from his own teenaged son causes him to be hateful and hostile toward all young people (and the defendant); arrogant, quick-angered, quick-to-convict, and defiant until the very end	Lee J. Cobb	12
Juror №4	Well-educated, smug and conceited, well-dressed stockbroker, presumably wealthy; studious, methodical, possesses an incredible recall and grasp of the facts of the case; common-sensual, dispassionate, cool-headed and rational, yet stuffy and prim; often displays a stern glare; treats the case like a puzzle to be deductively solved rather than as a case that may send the defendant to death; claims that he never sweats	E. G. Marshall	10 - tie

Juror №5	Naive, insecure, frightened, reserved; has a slum-dwelling upbringing that the case resurrects in his mind; a guilty vote would distance him from his past; nicknamed "Baltimore" by Juror № 7 because of his support of the Orioles; he may be Hispanic but this is only speculation	Jack Klugman	3
Juror №6	A typical "working man," dull-witted, experiences difficulty in making up his own mind, a follower; probably a manual laborer or painter; respectful of older juror and willing to back up his words with fists	Edward Binns	6
Juror №7	Clownish, impatient salesman (of marmalade the previous year), a flashy dresser, gum-chewing, obsessed baseball fan who wants to leave as soon as possible to attend evening game; throws wadded up paper balls at the fan; uses baseball metaphors and references throughout all his statements (he tells the foreman to "stay in there and pitch"); lacks complete human concern for the defendant and for the immigrant juror; extroverted; keeps up amusing banter and even impersonates James Cagney at one point; votes with the majority	Jack Warden	7
Juror №8	An architect, instigates a thoughtful reconsideration of the case against the accused; symbolically clad in white; a liberal-minded, patient truth-and-justice seeker who uses soft-spoken, calm logical reasoning; balanced, decent, courageous, well-spoken and concerned; considered a do-gooder (who is just wasting others' time) by some of the prejudiced jurors; named Davis	Henry Fonda	1
Juror №9	Eldest man in group, white-haired, thin, retiring and resigned to death but has a resurgence of life during deliberations; soft-spoken but perceptive, fair-minded; named McCardle	Joseph Sweeney	2
Juror №10	A garage owner, who simmers with anger, bitterness, racist bigotry; nasty, repellent, intolerant, reactionary and accusative; segregates the world into 'us' and 'them'; needs the support of others to reinforce his manic rants	Ed Begley	11- tie
Juror №11	A watchmaker, speaks with a heavy accent, of German-European descent, a recent refugee and immigrant; expresses reverence and respect for American democracy, its system of justice, and the infallibility of the Law	George Voskovec	4

Juror №12	Well-dressed, smooth-talking businessman with thick black glasses; doodles cereal box slogan and packaging ideas for "Rice Pops"; superficial, easily-swayed, and easy-going; vacillating, lacks deep convictions or belief system; uses advertising talk at one point: "run this idea up the flagpole and see if anybody salutes it"	Robert Webber	8
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en.wikipedia.org

Worksheet №4

PREDICT THE OPENING SCENE

<p>Setting</p> <p>Where and when might the opening scene take place?</p>	
<p>Characters</p> <p>Which characters might appear in the opening scene?</p>	
<p>Key events</p> <p>What might happen in the opening scene?</p>	
<p>Dialogue</p> <p>What are some lines of dialogue you might hear?</p>	

Other List any other details you think might be part of the opening scene?	
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Susan Stempleski, Barry Tomalin. – Film. 2001. Oxford University Press. – P.49

Worksheet №5

Argument / Evidence-Line

Watch the film and complete the Argument / Evidence Line. Use the boxes to take notes about each argument.

Argument 1
Argument 2
Argument 3
Argument 4
Argument 5
Argument 6
Argument 7
Argument 8

Argument 9

Argument 10

Argument 11

About 12 Angry Men

12 Angry Men (1957) is the gripping, penetrating, and engrossing examination of a diverse group of twelve jurors (all male, mostly middle-aged, white, and generally of middle-class status) who are uncomfortably brought together to deliberate after hearing the 'facts' in a seemingly open-and-shut murder trial case. They retire to a jury room to do their civic duty and serve up a just verdict for the indigent minority defendant (with a criminal record) whose life is in the balance. The film is a powerful indictment, denouncement and expose of the trial by jury system. The frightened, teenaged defendant is on trial, as well as the jury and the American judicial system with its purported sense of infallibility, fairness and lack of bias. One of the film's posters described how the workings of the judicial process can be disastrous: "LIFE IS IN THEIR HANDS - DEATH IS ON THEIR MINDS! It EXPLODES Like 12 Sticks of Dynamite."

This was television-trained director Sidney Lumet's first feature film - a low-budget film shot in only 17 days from a screenplay by Reginald Rose, who based his script on his own teleplay of the same name. After the initial airing of the TV play in early 1954 on Studio One CBS-TV, co-producer/star Henry Fonda asked Rose in 1956 if the teleplay could be expanded to feature-film length (similar to what occurred to Paddy Chayefsky's TV play *Marty* (1955)), and they became co-producers for the project (Fonda's sole instance of film production).

The jury of twelve 'angry men,' entrusted with the power to send an uneducated, teenaged Puerto Rican, tenement-dwelling boy to the electric chair for killing his father with a switchblade knife, are literally locked into a small, claustrophobic rectangular room on a stifling hot summer day until they come up with a unanimous decision - either guilty or not guilty. The compelling, provocative film examines the twelve men's deep-seated personal prejudices, perceptual biases and weaknesses, indifference, anger, personalities, unreliable judgments, cultural differences, ignorance and fears, that threaten to taint their decision-making abilities, cause them to ignore the real issues in the case, and potentially lead them to a miscarriage of justice.

Fortunately, one brave dissenting juror votes 'not guilty' at the start of the deliberations because of his reasonable doubt. Persistently and persuasively, he forces the other men to slowly reconsider and review the shaky case (and eyewitness testimony) against the endangered defendant. He also chastises the system for giving the unfortunate defendant an inept 'court-appointed' public defense lawyer who "resented being appointed" - a case with "no money, no glory, not even much chance of winning" - and who inadequately cross-examined the witnesses. Heated discussions, the formation of alliances, the frequent re-evaluation and changing of opinions, votes and certainties, and the revelation of personal experiences, insults and outbursts fill the jury room.

A few of the film's idiosyncrasies: Even in the 50s, it would have been unlikely to have an all-male, all-white jury. The introduction of information about the defendant's past juvenile crimes wouldn't have been allowed. Jurors # 3 and # 10 were so prejudiced that their attitudes would have quickly eliminated them from being selected during jury review. And it was improper for Juror # 8 to act as a defense attorney - to re-enact the old man's walk to the front door or to investigate on his own by purchasing a similar knife. The 'angry' interactions between some of the jurors seem overly personal and exaggerated.

This classic, black and white film has been accused of being staged, static and dialogue-laden. It has no flashbacks, narration, or subtitles. The camera is essentially locked in the enclosed room with the deliberating jurors for 90 of the film's 95 minutes, and the film is basically shot in real-time in an actual jury room. Cinematographer Boris Kaufman, who had already demonstrated his on-location film-making skill in Elia Kazan's On the Waterfront (1954) in Hoboken, and Baby Doll (1956) in Mississippi, uses diverse camera angles (a few dramatic, grotesque close-ups and mostly well-composed medium-shots) to illuminate and energize the film's cramped proceedings. Except for Henry Fonda, the ensemble character actors were chosen for their experience in the burgeoning art of television.

The film was a financial disaster when it first opened, but it received three Academy Award nominations (with no wins): Best Picture, Best Director, and Best Adapted Screenplay. All three categories lost to David Lean's Oscar-sweeping film The Bridge on the River Kwai. Henry Fonda's central role as a juror with resolute caution was un-nominated as Best Actor.

None of the jurors are named, and they don't formally introduce themselves to each other (except for two of them in the final brief ending). Jurors are labeled with numbers based on their jury numbers and seats at a conference table in the jury room (in clock-wise order).

<http://us.imdb.com/title/tt0050083/user>

Memorable Quotes from 12 Angry Men (1957)

Juror №6: Well, I'm not used to supposin'. I'm just a workin' man. My boss does all the supposin' - but I'll try one. Supposin' you talk us all out of this and, uh, the kid really did knife his father?

Juror №10: Bright? He's a common ignorant slob. He don't even speak good English.

Juror №11: Doesn't even speak good English.

Juror №10: I don't understand you people! I mean all these picky little points you keep bringing up. They don't mean nothin'. You saw this kid just like I did. You're not gonna tell me you believe that phony story about losing the knife, and that business about being at the movies. Look, you know how these people lie! It's born in them! I mean what the heck? I don't even have to tell you. They don't know what the truth is! And, lemme tell you, they don't need any real big reason to kill someone, either! No sir!

[Five gets up from his seat]

Juror №10: You know, they get drunk... oh, they're very big drinkers, all of 'em, and bang: someone's lyin' in the gutter. Oh, nobody's blaming them for it. That's how they are! By nature! You know what I mean? VIOLENT!

[Nine rises and crosses to the window]

Juror №10: Human life don't mean as much to them as it does to us!

[Eleven gets up and walks to the other window]

Juror №10: Hey! Where are you going? (Beginning to sound desperate.) Look, these people're lushing it up and fighting all the time and if somebody gets killed, so somebody gets killed! They don't care! Oh, sure, there are some good things about 'em, too. Look, I'm the first one to say that.

[Eight gets up and walks to the nearest wall]

Juror №10: I've known a couple who were OK, but that's the exception, y'know what I mean?

[Two and Six get up from the table. Everyone's back is to Ten]

Juror №10: Most of 'em, it's like they have no feelings! They can do anything! What's goin' on here? I'm trying to tell you we're makin' a big mistake, you people! This kid's a liar! I know it. I know all about them! I mean, what's happenin' here? I'm speaking my piece, and you...

[the Foreman gets up and walks away. So does Twelve]

Juror №10: Listen to me! They're no good! There's not a one of 'em who's any good!

[Seven turns away]

Juror №10: Boy, are you smart! Well, I'm tellin' 'ya we better watch out! This kid on trial here, his type... Well, don't you know about them?

[Three turns his back]

Juror №10: What are you doin'? Listen to me! I'm tryin' to tell you somethin'! There's a danger here! These people are wild! Don't you know about it? LISTEN TO ME! LISTEN!

Juror №4: I have. Now sit down and don't open your mouth again.

Juror №8: It's very hard to keep personal prejudice out of a thing like this. And no matter where you run into it, prejudice obscures the truth. Well, I don't think any real damage has been done here. Because I don't really know what the truth is. No one ever will, I suppose. Nine of us now seem to feel that the defendant is innocent, but we're just gambling on probabilities. We may be wrong. We may be trying to return a guilty man to the community. No one can really know. But we have a reasonable doubt, and this is a safeguard which has enormous value to our system. No jury can declare a man guilty unless it's SURE. We nine can't understand how you three are still so sure. Maybe you can tell us.

[last lines]

Juror №9: Hey, what's your name?

Juror №8: Davis.

Juror №9: Mine's McCardle.

[pause]

Juror №9: Well, so long.

Juror №8: So long.

Juror №8: I think this is what happened: the old man had heard the fight between the boy and his father a few hours earlier. Then, while lying in bed, he heard a body hit the floor in the boy's apartment, and he heard the woman scream from across the street. He got up, he tried to get to the door, heard someone racing down the stairs and *assumed* it was the boy.

Juror №3: Assumed? Brother, I've seen all kinds of dishonesty in my day, but this little display takes the cake. Y'all come in here with your hearts bleedin' all over the floor about slum kids and injustice, you listen to some fairy tales, suddenly you start gettin' through to some of these old ladies... well, you're not getting through to me, I've had enough! WHAT'S THE MATTER WITH YOU GUYS? You all know he's guilty. He's got to burn! You're letting him slip through our fingers.

Juror №8: Slip through our fingers? Are you his executioner?

Juror №3: I'm one of 'em!

Juror №8: Maybe you'd like to pull the switch?

Juror №3: For this kid? You bet I would!

Juror №8: I feel sorry for you...

Juror №3: Don't start with me...

Juror №8: What it must feel like to want to kill someone yourself!

Juror №3: Listen, you shut up!

Juror №8: [baiting him] Ever since we walked into this room, you've been acting like a self-appointed public avenger!

Juror №8: You want to see this boy die because you personally want it, not because of the facts! You're a sadist!

Juror №3: Shut up!

[He lunges wildly at Eight, who holds his ground. Several jurors hold Three back]

Juror №3: Let me go! I'll kill him! I'LL KILL HIM!

Juror №8: You don't *really* mean you'll kill me, do you?

Juror №8: There's another thing I'd like to talk about for a minute. I think we've proven that the old man couldn't have heard the boy say "I'm going to kill you," but supposing...

Juror №10: You didn't prove it at all. What're you talking about?

Juror №8: But supposing he really did hear it. This phrase, how many times has each of us used it? Probably hundreds. "I could kill you for that, darling." "If you do that once more, junior, I'm going to kill you." "Come on, Rocky, get in there and kill him!" We say it every day. It doesn't mean we're going to kill someone.

Juror №3: Wait a minute. What are you trying to give us here? The phrase was "I'm going to kill you," and he screamed it out at the top of his lungs! Don't tell me he didn't mean it. Anybody says a thing like that the way he said it, they mean it.

[Juror 8 has convinced everyone to change their votes to not guilty except for Juror 3]

Juror №9: It's eleven to one.

Juror №7: So, what do we do now?

Juror №8: You're alone.

Juror №3: I don't care if I'm alone or not! It's my right.

Juror №8: It's your right.

Juror №3: Well, what do you want from me?

Juror №8: We want your arguments.

Juror №3: I gave ya my arguments!

Juror №8: We're not convinced! We want to hear them again. We have as much time as it takes.

Juror №3: Everything... every single thing that came out in that courtroom, but I mean everything... says he's guilty. What d'ya think? I'm an idiot or somethin'? Why don't cha take that stuff about the old man; the old man who lived there and heard everything? Or the business about the knife! What, just because he found one exactly like it? The old man *saw* him. Right there on the stairs. What's the difference how many seconds it was? Every single thing. The knife falling through a hole in his pocket... you can't *prove* that he didn't get to the door! Sure, you can hobble around the room and take all the time you want, but you can't prove it! And that stuff with the EI! And the movies! Now there's a phony deal if I ever saw one. I'd betcha five thousand dollars I'd remember the names of the movies I saw! I'm tellin' ya: every single thing that has went on has been twisted... and turned. This business with the glasses. How do you know she didn't have 'em on? This woman testified in open court! And that thing about hearin' the kid yell... huh? Listen, I've got all the facts here...

[He struggles with his notebook, throws it on the table]

Juror №3: Ah! Well, there it is! That's the whole case!

[He turns towards the window as the other jurors stare at him]

Juror №3: Well, say something! You lousy bunch of bleedin' hearts. You're not goin' to intimidate me! I'm entitled to my own opinion!

[He sees the picture of his son on the table]

Juror №3: Rotten kids... you work your life out!

[He lunges at the picture and tears it to pieces. He suddenly realizes what he's doing]

Juror №3: *[Breaks down]* No. Not guilty. Not guilty.

Juror №2: It's hard to put into words. I just think he's guilty. I thought it was obvious from the word, 'Go'. Nobody proved otherwise.

Juror №8: Nobody has to prove otherwise. The burden of proof is on the prosecution. The defendant doesn't even have to open his mouth. That's in the Constitution.

Juror №8: There were two witnesses to the murder. What if they're wrong?

Juror №12: What do you mean, what if they're wrong? What's the point of having witnesses at all?

Juror №8: Could they be wrong?

Juror №12: Well no, I don't think so.

Juror №8: Do you 'know' so?

Juror №12: Come on. Nobody can know something like that. This isn't an exact science.

Juror №8: That's right, it isn't.

Juror №3: You're talking about a matter of seconds. Nobody can be that accurate.

Juror №8: Well I think that testimony that can put a boy into the electric chair SHOULD be that accurate.

Juror №11: I beg pardon...

Juror №10: "I beg pardon?" What are you so polite about?

Juror №11: For the same reason you are not: it's the way I was brought up.

Juror №3: What do you mean you want to try it? Why didn't his lawyer bring it up if it's so important?

Juror №5: Well, maybe he just didn't think of it huh?

Juror №10: What do you mean didn't think of it? Do you think the man's an idiot or something? It's an obvious thing.

Juror №5: Did you think of it?

Juror №10: Listen smart guy, it don't matter whether I thought of it. He didn't bring it up because he knew it would hurt his case. What do you think of that?

Juror №8: Maybe he didn't bring it up because it would of meant bullying and badgering a helpless old man. You know that doesn't sit well with a jury, most lawyers avoid it if they can.

Juror №7: So what kind of a bum is he then?

Juror №8: That's what I've been asking, buddy.

Juror №3: That business before when that tall guy, what's-his-name, was trying to bait me? That doesn't prove anything. I'm a pretty excitable person. I mean, where does he come off calling me a public avenger, sadist and everything? Anyone in his right mind would blow his stack. He was just trying to bait me.

Juror №4: He did an excellent job.

Juror №10: Oh, listen, I don't see what all this stuff about the knife has got to do with anything. Somebody saw the kid stab his Father, what more do we need? You guys can talk the ears right off my head you know what I mean? I got three garages of mine going to pot while you're talking! So lets get down and get out of here!

Juror №7: You a Yankee fan?

Juror №5: No, Baltimore.

Juror №7: Baltimore? That's like being hit in the head with a crow bar once a day.

Juror №11: I don't feel I have to be loyal to one side or the other. I'm just asking questions.

<http://us.imdb.com/title/tt0050083/quotes>

FROM THE CONSTITUTION OF THE USA

Article 3 Judicial Branch

Section 1 United States Courts

The judicial power of the United States shall be vested in one Supreme Court, and in such inferior courts as the Congress may from time to time ordain and establish. The judges, both of the Supreme and inferior courts, shall hold their offices during good behavior, and shall, at stated times, receive for their services, a compensation, which shall not be diminished during their continuance in office.

Section 1 creates a national judiciary. Congress established the national court system in 1789. Today there are 11 judicial circuits, with a Court of Appeals in each, and 98 judicial districts. At least one district with a District Court is in every state. Other constitutional courts include (1) the Court of Claims, established in 1855; (2) the Customs Court, established in 1890; and (3) the Court of Customs and Patent Appeals, established in 1910.

For crimes committed at sea, Congress has provided that the accused be tried by the District Court of the district where that person is surrendered into custody.

Section 3 Treason

1. Treason against the United States shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court.

Treason is the only crime specifically defined in the Constitution, and Congress cannot alter or amend the criteria for conviction. The charge can be levied against American citizens at home or abroad and resident aliens.

2. The Congress shall have power to declare the punishment of treason, but no attainder of treason shall work corruption of blood, or forfeiture except during the life of the person attained.

Congress has set the punishment for treason to be from a minimum of five years imprisonment and a \$10,000 fine to a maximum of death. No person convicted of treason has ever been executed by the United States.

Federal judges are appointed by the President with Senate approval and nearly all hold office during good behavior for life. Originally, judges' salaries were \$3500 (\$4000 for the Chief Justice). In 1983, Supreme Court Justices are paid \$93,000 (the

Chief Justice \$96,800); Courts of Appeals judges \$74,300; and District Court judges \$70,300.

Section 2 Jurisdiction

1. The judicial power shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority; - to all cases affecting ambassadors. Other public ministers, and consuls; - to all cases of admiralty and maritime jurisdiction;—to controversies to which the United States shall be a party; -to controversies between two or more states; - between a state and citizens of another state;-between citizens of different states; - between citizens of the same state claiming lands under grants of different states; and between a state, or the citizens thereof, and foreign states, citizens or subjects.

Jurisdiction is the right of a court to try a case. Federal courts have jurisdiction over a case because of its subject matter or the parties involved. Since the adoption of the Eleventh Amendment, however, a state cannot be sued in federal court by a resident of another state or a citizen of a foreign country.

The judicial power of the United States includes civil cases (private wrongs that arise under common law or equity) as well as criminal cases. Common law is the rules and principles that developed in England from decisions made on the basis of custom. Equity is a branch of law that provides legal remedy when strict application of common law results in an injustice.

2. In all cases affecting ambassadors, other public ministers and consuls, and those in which a state shall be party, the Supreme Court shall have original jurisdiction. In all other cases before mentioned, the Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations as the Congress shall make.

The Supreme Court has both original and appellate jurisdiction. Original jurisdiction refers to cases to be tried for the first time. Appellate jurisdiction refers to cases to be reviewed after being tried in a lower court. The vast majority of cases the Supreme Court hears are on appeal. Its decisions are by majority opinion.

3. The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the state where the said crimes shall have been committed; but when not committed within any state, the trial shall be at such place or places as the Congress may by law have directed.

All persons accused of committing a crime for which they can be tried in federal court are guaranteed the right of trial by jury in the state where the crime takes place. For crimes committed at sea, Congress has provided that the accused be tried by the District Court of the district where that person is surrendered into custody.

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Amendment 5 Rights of the Accused

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor to be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

The Fifth Amendment protects the legal rights of people in criminal proceedings. No person may be brought to trial for a felony without first being charged with a specific crime by either a presentment or indictment of a grand jury. A presentment is a formal accusation brought by grand jury acting on its own knowledge against a person believed to have committed a crime. An indictment is a formal accusation by a grand jury against a person whom the district attorney has brought to the grand jury's attention and whom the jury thinks probably committed the crime. A grand jury's decision does not have to be unanimous.

No person may be tried for the same crime twice. But there are exceptions to the prohibition against double jeopardy. For example, if a person commits an act which violates both federal and state law, that person can be tried for that crime in both federal and state courts.

Persons may not be forced to give testimony against themselves. However, the prohibition against self-in-crimination does not bar voluntarily testifying against one's self. The protection applies to any proceedings where testimony is legally required, including congressional hearings. The Supreme

Court has held that evidence obtained by electronic eavesdropping (wiretaps) is not admissible in court since it violates the principle of self-incrimination.

Government cannot take private property for public use without payment of a fair market price.

2. The Judicial Branch Interpreting the Constitution

The third branch of the federal government, the judiciary, consists of a system of courts spread throughout the country, headed by the Supreme Court of the United States.

A system of state courts existed before the Constitution was drafted. There was considerable controversy among the delegates to the Constitutional Convention as to whether a federal court system was needed and whether it should supplant the state courts. As in other matters under debate, the delegates reached a compromise in which the state courts continued their jurisdiction while the Constitution mandated a federal judiciary with limited power. Article of the Constitution states the basis for the federal court system: "The judicial power of the United States shall be vested in one Supreme Court, and such inferior courts as the Congress may from time to time ordain and establish."

3. The Federal Court System

With this guide, the first Congress divided the nation into districts and created federal courts for each district. From that beginning has evolved the present structure: the Supreme Court, 13 courts of appeals, 94 district courts, and two courts of special jurisdiction. Congress today retains the power to create and abolish federal courts, as well as to determine the number of judges in the federal judiciary system. Congress cannot, however, abolish the Supreme Court.

The judicial power extends to cases arising under the Constitution, an act of Congress, or a treaty of the United States,- cases affecting ambassadors, ministers, and consuls of foreign countries in the United States,-controversies in which the U.S. government is a party,- controversies between states (or their citizens) and foreign nations (or their citizens or subjects),- and bankruptcy cases. The Eleventh Amendment removed from federal jurisdiction cases in which citizens of one state are the plaintiffs and the government of another state is the defendant. It did not disturb federal jurisdiction in cases in which a state government is a plaintiff and a citizen of another state is the defendant.

The power of the federal courts extends both to civil actions for damages and other redress, and to criminal cases arising under federal law. Article III has resulted in a complex set of relationships between state and federal courts. Ordinarily, federal courts do not hear cases arising under the laws of individual states. However, some cases over which federal courts have jurisdiction may also be heard and decided by state courts. Both court systems

thus have exclusive jurisdiction in some areas and concurrent jurisdiction in others.

The Constitution safeguards judicial independence by providing that federal judges shall hold office "during good behavior" - in practice, until they die, retire, or resign, although a judge who commits an offense while in office may be impeached in the same way as the president or other officials of the federal government. U.S. judges are appointed by the president and confirmed by the Senate. Congress also determines the pay scale of judges.

4. The Supreme Court

The Supreme Court is the highest court of the United States, and the only one specifically created by the Constitution. A decision of the Supreme Court cannot be appealed to any other court. Congress has the power to fix the number of judges sitting on the Court and, within limits, decide what kind of cases it may hear, but it cannot change the powers given to the Supreme Court by the Constitution itself.

The Constitution is silent on the qualifications for judges. There is no requirement that judges be lawyers, although, in fact, all federal judges and Supreme Court justices have been members of the bar.

Since the creation of the Supreme Court almost 200 years ago, there have been slightly more than 100 justices. The original Court consisted of a chief justice and five associate justices. For the next 80 years, the number of justices varied until, in 1869, the complement was fixed at one chief justice and eight associates. The chief justice is the executive officer of the Court but, in deciding cases, has only one vote, as do the associate justices.

The Supreme Court has original jurisdiction in only two kinds of cases: those involving foreign dignitaries and those in which a state is a party. All other cases reach the Court on appeal from lower courts.

(Drewry Green, O'Conner, Becker, Coviello. – *United States History. From Reconstruction to the Present.* . 1986. Charles E. Merrill Publishing Co. USA, Columbus. – P. 630)

From the History of an American Court Course of Appeals and District Courts

1. Of the several thousand cases filed annually, the Court usually hears only about 150. Most of the cases involve interpretation of the law or of the intent of Congress in passing a piece of legislation. A significant amount of the work of the Supreme Court, however, consists of determining whether legislation or executive acts conform to the Constitution. This power of judicial review is not specifically provided for by the Constitution. Rather, it is doctrine inferred by the Court from its reading of the Constitution, and forcefully stated in the landmark *Marbury v. Madison* case of 1803. In its decision in that case, the Court held that "a legislative act contrary to the Constitution is not law," and further observed that "it is emphatically the province and duty of the judicial department to say what the law is." The doctrine has also been extended to cover the activities of state and local governments.

Decisions of the Court need not be unanimous; - a simple majority prevails, provided at least six justices—the legal quorum—participates in the decision. In split decisions, the Court usually issues a majority and a minority—or dissenting—opinion, both of which may form the basis for future decisions by the Court. Often justices will write separate concurring opinions when they agree with a decision, but for reasons other than those cited by the majority.

The second highest level of the federal judiciary is made up of the courts of appeals, created in 1891 to facilitate the disposition of cases and ease the burden on the Supreme Court. Congress has established 12 regional circuit courts of appeals and the U.S. Court of Appeals for the Federal Circuit. The number of judges sitting on each of these courts varies considerably (from 6 to 28), but most circuits have between 10 and 15 judges.

The courts of appeals review decisions of the district courts (trial courts with federal jurisdiction) within their areas. They also are empowered to review orders of the independent regulatory agencies in cases where the internal review mechanisms of the agencies have been exhausted and there still exists substantial disagreement over legal points. In addition, the Court of Appeals for the Federal Circuit has nationwide jurisdiction to hear appeals in specialized cases, such as those involving patent laws and cases decided by the courts of special jurisdiction, the Court of International Trade and the Court of Federal Claims.

Below the courts of appeals are the district courts. The 50 states and U.S. territories are divided into 94 districts so that litigants may have a trial within easy reach. Each district court has at least two judges, many have several judges, and the most populous districts have more than two dozen. Depending on case load, a judge from one district may temporarily sit in another district. Congress fixes the boundaries of the districts according to population, size, and volume of work. Some of the smaller states constitute a district by themselves, while

the larger states, such as New York, California, and Texas, have four districts each.

Except in the District of Columbia, judges must be residents of the district in which they permanently serve. District courts hold their sessions at periodic intervals in different cities of the district.

Most cases and controversies heard by these courts involve federal offenses such as misuse of the mails, theft of federal property, and violations of pure-food, banking, and counterfeiting laws. These are the only federal courts where "grand" juries indict those accused of crimes and "petit" juries decide the cases.

Each judicial district also includes a U.S. bankruptcy court, because Congress has determined that bankruptcy matters should be addressed in federal courts rather than state courts. Through the bankruptcy process, individuals or businesses that can no longer pay their creditors either may seek a court-supervised liquidation of their assets or may reorganize their financial affairs and work out a plan to pay off their debts.

Special Courts

In addition to the federal courts of general jurisdiction, it has been necessary from time to time to set up courts for special purposes. These are known as "legislative" courts because they are created by congressional action. Judges in these courts, like their peers in other federal courts, are appointed for five terms by the president, with Senate approval.

Today, there are two special trial courts that have nationwide jurisdiction over certain types of cases.

The Court of International Trade addresses cases involving international trade and customs issues. The Court of Federal Claims has jurisdiction over most claims for money damages against the United States, disputes over federal contracts, and unlawful «takings» of private property other claims against the United States.

(Stephen B. Oates . *Portrait of America. From Reconstruction to the Present.* Boston. University of Massachusetts. 1999.)

Lesson 4 Roleplay “Jury Deliberations and Voting”

Time: 2/4 hours

Materials: Text of Memorable Quotes and all the notes made by the students at the previous lessons.

The lesson focuses on practicing reading and performing famous scenes.

Procedure:

1. The teacher tells the students they are all going to have a chance to be actors and play a part in a famous film scene.
2. The students are given Memorable Quotes. They read materials, then they roleplay the parts as a sit-down reading task. Teacher encourages students to use both verbal and non-verbal ways to express the thoughts and feelings.
3. The students write the transcript of the scene (Juror №10 shouts for a long time, segregating the world into “us” and “them”, nine jurors refuse to listen to him – till the end of deliberations). It may be done in small groups and then the scripts may be compared and improved.
4. Students practice reading the script(s) before seeing the film version of the scene.
5. Groups perform their interpretations of the scene for the class.
6. Finally, the teacher plays the film version of the scene. Students discuss the similarities and differences between the film and students’ interpretations.

Variation: There can be actors and viewers in the class. The viewers then comment on the students’ play.

Appendix Material Home - Reading

The McCarthy Hearings

By the spring of 1954, McCarthy's support began to decline. The Cold War was easing, and many Americans feared that McCarthy's obsession with national security was ruining the lives and careers of many innocent people.

At this time, McCarthy began a search for Communists in the United States Army. Army leaders, in turn, accused McCarthy of demanding special treatment for a congressional aid who had just been drafted. From April to June, a series of televised hearings were held in which McCarthy and army officials presented their cases. McCarthy's rude behavior and use of phony evidence in the hearings damaged his cause and led to his public disgrace. In December the Senate censured McCarthy.

The Election of 1956

During the mid-1950's the Republicans appeared to be in serious trouble. In 1954 they lost control of Congress. During the next two years Eisenhower was in poor health. There were doubts that he would run for a second term. However, the President's health improved, and he finally decided to run again. In the summer of 1956 Eisenhower and Nixon were renominated by the Republicans.

The Democrats again named Adlai Stevenson as their presidential candidate. The choice for Stevenson's running mate was left in the hands of the convention delegates. They chose Senator Estes Kefauver of Tennessee over a young rival, Senator John F. Kennedy of Massachusetts.

During the campaign Stevenson accused Eisenhower of being a "part-time" President and warned that "Ike" might not survive a second term, Eisenhower ignored the issue of his health. Instead, he pointed to the peace and prosperity that the nation had enjoyed since 1953.

Eisenhower's personal popularity led him to a decisive victory. He won 35.6 million popular votes to Stevenson's 26 million. Eisenhower had 457 electoral votes, while Stevenson had 74. But his success did not carry over to the Republican party as a whole, the Democrats had a slight majority in the Senate, 49 to 47, and a sizeable majority in the House, 232 to 199. Thus, Eisenhower became the first President in more than 100 years to take office without his party controlling either house of Congress.

End of the Eisenhower Era

During the late 1950's Eisenhower remained a popular President. However, his second term was less successful than his first. Critics often charged that Eisenhower was ignoring important national issues, like civil rights and the protection of natural resources. They also claimed that he was not assuming enough responsibility for the health of the nation's economy. In 1957 and 1958 a major recession occurred. Unemployment rose to 7.7 percent of the work force, the highest rate since the end of the Great Depression. Eisenhower refused to support a large government spending program to create jobs. He believed that such program would lead to inflation. At the same time, the administration also faced a series of scandals. The most important scandal concerned the President's closest advisor, Sherman B. Adams. In the spring of 1958, congressional hearings revealed that Adams had received gifts from a wealthy New England industrialist who was being investigated by the government. Adams was forced to resign.

The scandals and the recession helped the Democrats to strengthen their control of Congress in the 1958 elections. But in spite of these difficulties, Eisenhower received praise for some of his efforts. In foreign policy, he sought to ease world tensions. At home, he supported government grants to aid the construction of more schools for the nation's growing school-age population. Eisenhower also backed the National Defense Education Act of 1958. This law provided government loans to college students for their education.

In 1959 two new states were added to the union. On January 3, Eisenhower issued a proclamation making Alaska the 49th state - the first new state since Arizona and New Mexico joined the Union in 1912. On August

21, Hawaii became the 50th state. As Eisenhower's second term came to an end, he made it clear that, although he was famous as a man of war, he wanted to be remembered as a President of peace. In his January 1961 farewell address to the nation, he expressed his concern about the growth of the "military-industrial complex," or the close involvement of government and industry in preparing for war:

The conjunction of an immense military establishment and a large arms industry is new in American experience. The total influence - economic, political, and even spiritual - is felt in every city, every State house and every office of the federal government. We recognize the imperative need for this development. Yet we must not fail to comprehend its grave implications. Our toil, resources and livelihood are all involved; so is the very structure of our society.

Eisenhower believed that the military-industrial complex had greatly contributed to "big government" and warned about its destructive effects on traditional American values. Indeed, American life was changing.

For some contemporary critics, his mark was entirely negative, for they thought him an inept president who spent more time on the golf course than in tending to affairs of state. When he did attend to his job, such critics contended, his policies only worsened Cold War tensions. He ended up adopting Truman's containment policy and even announced "the domino theory," which held that if the West allowed the Communists to take over one country, they would seize its neighbors, then their neighbors, and so on until they had conquered the world. Other contemporary critics, though, regarded Ike as a masterful statesman who ended the Korean War, opposed military intervention in the internal struggles of other nations, and presided over a period of domestic prosperity.

In the years just after his presidency, historians tended to side with Eisenhower's hostile critics and rate him a poor chief executive. But recently, with new evidence and new perspectives, scholars have taken another look at Eisenhower and have liked what they saw. Their "revisionist" view has had a considerable impact on the current generation, so much so that a recent poll of historians and presidential scholars ranked Ike ninth on the list of presidents. In this selection, historian Stephen E. Ambrose, author of an authoritative two-volume biography of Eisenhower, evaluates the revisionist assessment of Ike and concludes that his record is indeed enviable. In the course of his discussion, Ambrose sheds light on the process of historical interpretation; the way historians use evidence to assess a figure and an era.

Since Andrew Jackson left the White House in 1837, 33 men have served as president of the United States. Of that number, only four have managed to serve eight consecutive years in the office - Ulysses Grant, Woodrow Wilson, Franklin Roosevelt, and Dwight Eisenhower. Of these four, only two were also world figures in a field outside politics - Grant and Eisenhower - and only two had a higher reputation and broader popularity when they left office than when they entered - Roosevelt and Eisenhower.

Given this record of success, and the relative failure of Ike's successors, it is no wonder that there is an Eisenhower revival going on. Another major reason for the current Eisenhower boom is nostalgia for the 1950s- a decade of peace with prosperity, a 1.5 percent annual inflation rate, self-sufficiency in oil and other precious goods, balanced budgets, and domestic tranquility. Eisenhower "revisionism," now proceeding at full speed, gives Ike himself much of the credit for these accomplishments.

The reassessment of Eisenhower is based on a multitude of new sources, as well as new perspectives, which have become available only in the past few years. The most important of these is Ike's private diary, which he kept on a haphazard basis from the late 1930s to his death in 1969. Other sources include his extensive private correspondence with his old military and new big business friends, his telephone conversations (which he had taped or summarized by his secretary, who listened in surreptitiously), minutes of meetings of the cabinet and of the National Security Council and the extensive diary of his press secretary, the late James Hagerty.

Study of these documents has changed the predominant scholarly view of Eisenhower from, in the words of the leading revisionist, political scientist Fred Greenstein of Princeton, one of "an aging hero who reigned more than he ruled and who lacked the energy, motivation, and political skill to have a significant impact on events," to a view of Ike as "politically astute and informed, actively engaged in putting his personal stamp on public policy, who applied a carefully thought-out conception of leadership to the conduct of his presidency."

The revisionist portrait of the president contains many new features. Far from being a "part-time" president who preferred the golf course to the Oval Office, he worked an exhausting schedule, reading more and carrying on a wider correspondence than appeared at the time.

Instead of the "captive hero" who was a tool of the millionaires in his cabinet, Ike made a major effort to convince the Republican right wing to accept the New Deal reforms, an internationalist foreign policy, and the need to modernize and liberalize the Republican Party.

Eisenhower himself had appointed Earl Warren chief justice of the Supreme Court. The Warren Court actively sympathetic to black's civil rights, ordered the desegregation of public schools.

Civil Rights

Beginning in the mid- 1950's, race relations and civil rights dominated domestic events. For the first time, black Americans in large numbers began to organize and struggle for their rights.

The Brown Decision. Not wanting to create controversy, the Eisenhower administration and Congress refused to pass civil rights legislation. In 1953 Eisenhower appointed Governor Earl Warren of California as Chief Justice of the United States Supreme Court. Warren began to move the Court

toward a more liberal interpretation of the Constitution in decisions on individual rights. Also in 1953 the NAACP brought a number of civil rights cases before the Court. Thurgood Marshall, the NAACP's leading lawyer, wanted the Court to strike down state laws that required racial segregation in public schools. He argued that black children were not getting the same quality of education as white children.

On May 17, 1954, the Court handed down a historic decision in *Brown Board of Education of Topeka*. It overturned the 1896 *Plessy v. Ferguson* decision that segregation was constitutional as long as equal facilities were provided for both races. The Court declared:

We conclude that in the field of public education, the doctrine of "separate but equal" has no place. Separate educational facilities are inherently unequal.

A year later the Court called on school authorities to make plans for school integration, or bringing the races together. Local courts were given the responsibility of deciding whether the plans were suitable. The Court also ordered that integration was to be carried out as soon as possible.

The nation's black population welcomed the Court rulings. However, groups in the South opposing school integration denounced the Supreme Court. They began to form White Citizens' Councils, whose purpose was to block integration by using business boycotts, job dismissals, and other threats. In the spring of 1956, members of Congress from the South issued a manifesto declaring that they would use "all lawful means" to overturn the Brown decision. Some southern states began passing laws to prevent school integration. They even set up private schools for whites with state funds. Allowing local courts to oversee integration guaranteed that the process in the South would move slowly.

The Eisenhower administration found itself caught between the civil rights supporters and the southern resisters. Eisenhower himself had never been a strong backer of civil rights. He also believed that the federal government could do very little to improve race relations because laws could not change what was in people's hearts. However, he regarded the Brown decision as the law of the land and recognized that it was his duty as President to enforce the law.

Little Rock

In the fall of 1957 Eisenhower was forced to act firmly in support of civil rights. At that time, resistance to the Brown decision reached its peak in Little Rock, Arkansas. Arkansas Governor Orval Faubus opposed integration. He used his state's National Guard to prevent black students from enrolling in Little Rock's Central High School.

Eisenhower tried to persuade Faubus to enforce the law. Faubus agreed and withdrew the Guard. But the black students trying to enter the school soon faced crowds of hostile whites. At the urging of Attorney General

Herbert Brownell, Eisenhower finally sent federal troops into Little Rock to enforce school integration. Order was restored, and the black students attended classes without major incident.

In spite of Little Rock, however, few places in the South during the late 1950's obeyed the Brown decision. A number of school districts even closed rather than accept integration.

Congressional Action. After the Court rulings, the other branches of the federal government began to act on behalf of civil rights, in the fall of 1957, Congress passed the first civil rights act since 1875. The leading defender of the measure on the floor of Congress was Lyndon B. Johnson of Texas, Senate Majority Leader and a civil rights moderate.

The new civil rights law called for the Justice Department to seek court injunctions to promote black voting rights. It appointed referees to ensure that blacks were not kept away from or cheated at the polls. Federal courts were also given power to hear any case brought by a person whose voting rights were violated.

The Civil Rights Act of 1957 did not meet the hopes of civil rights supporters. Eisenhower was cautious in enforcing it. In addition, the law had many "loop-holes," and tougher legislation was needed. In 1960 another civil rights law was passed. It set heavy fines and prison terms for interfering with black voting.

Black leaders, such as Roy Wilkins of the NAACP and labor union leader A. Philip Randolph, wanted more legislation to further civil rights in areas besides education and voting. They hoped that federal officials would actively register black voters and end racial discrimination in employment and housing. But neither Eisenhower nor a majority in Congress was willing to take these steps.

Martin Luther King:

The law cannot change the heart - but it can restrain the heartless. It will take education and religion to change bad internal attitudes - but legislation and court orders can control their external aspects. Federal court decrees have, for example, altered transportation patterns and changed social mores - so that the habits, if not the hearts, of People are being altered every day by federal action. And these major social changes have a cumulative force conditioning other segments of life.

(Stephen B. Oates . *Portrait of America. From Reconstruction to the Present.* Boston. University of Massachusetts. 1999.)

Worksheet №1

	The title of the paragraph	The main events and activities made in the period of Eisenhower's Presidency in 50s
A		
B		
C		
D		
E		
F		
G		
H		

TWELVE ANGRY MEN

Authors: Tatiana Babak, Irina Bitner, Maria Tkachenko,
Tatiana Sofronova
Krasnoyarsk State Pedagogical University

Level: Upper-intermediate to advanced

Topic: A person's role in the process of rendering justice

Themes: What are the responsibilities and functions of the jury?
What is the role of a single person in the process of doing somebody's life?
What is the impact of social prejudice on people?

Activities: Screening of 12 Angry Men
Internet research
Pre- and post-film discussion
Report writing / Culminating activity

Timeline: Eight to ten hours of in-class activity

Suggested Materials:

Encyclopedia Britannica

http://www.ftppro.com/library/12_Angry_Men

http://discovery.coe.uh.edu/cuin7330F2003/kaksoy/Nov22/12angry_men-slideshow/interviews.htm

Pre-film discussions

- Whole-group discussions

What are the functions of a jury? A piece of information given below may be of help:

Jury

In law, a body of individuals selected and sworn to inquire into a question of fact and to render a verdict according to the evidence.

Juries may deal with questions of law in addition to questions of fact, though federal juries in the U.S. are usually limited to dealing with questions of fact. The modern jury can vary in size depending on the proceeding but usually has either 6 or 12 members. By U.S. law, federal grand juries and petit juries must be "selected at random from a fair cross-section of the community in the district or division wherein the court convenes." State jury selection varies somewhat. The Supreme Court of the United States has stated in a series of decisions that a

jury is to be composed of “peers and equals” and that systematic exclusion from a jury of a particular class of people (e.g., on the basis of sex, skin color, or ancestry) violates the equal-protection clause of the 14th Amendment to the Constitution of the United States and the defendant's right to a jury trial. A defendant is not, however, entitled to a jury of any particular composition. (from Encyclopedia Britannica)

How exactly is a jury deliberated? What are the responsibilities a juror undertakes? What skills does this job demand? Can anyone become a juror?

Read the texts below and say what type of jury is defined. Does the process for empanelling a jury differ in these two cases?

1. Group chosen from the citizens of a district to try a question of fact at issue in a trial.

Though petit juries in England and the U.S. historically have contained 12 members, there is no uniform number. Numerical requirements for a valid verdict vary (e.g., unanimity in most courts in the U.S., a majority in Scotland and Italy, two-thirds in Portugal). This is the standard jury for civil and criminal trials. It has less discretion than is often imagined. The trial judge supervises it, rules on what evidence it may view and which laws are applicable, and sometimes directs or, at the end of the trial, sets aside its verdict. (from Encyclopedia Britannica)

2. Jury that examines accusations against persons suspected of committing a crime and, if the evidence warrants it, issues formal charges on which the accused are later tried.

It does not decide guilt or innocence, only whether there is “probable cause” to believe that a person committed a crime. Public officials (prosecutors and police) provide information and summon witnesses for the jury. The proceedings are usually secret. (from Encyclopedia Britannica)

Some cases are tried solely by judges, others are decided by jury. Which way of rendering verdicts ensures fairness? Share your opinion with the group.

Additional information:



Some interesting facts about the movie:

The movie was directed by Sidney Lumet and adapted by Reginald Rose from his 1954 teleplay originally broadcast on CBS. Boris Kaufman was the cinematographer. The film was nominated for Academy Awards for Best Director, Best Picture and Best Writing, Screenplay Based on Material from Another Medium. None of the characters in the film are given a name; they are all identified by juror numbers, until the very end. The screenplay had first been produced on television, on the program *Studio One*, in 1954. A complete kinescope of that performance was discovered, after previously being thought lost, in 2003. *12 Angry Men* is sometimes studied as literature. Some of the screenplays have been published and Rose wrote several stage adaptations of the story. In 1964 Leo Genn appeared in it on the London stage. Other theatrical adaptations in which female actors are cast as jurors are called *12 Angry Jurors* or *12 Angry Women*.

Home task

Check that you know the meaning of the following words and informal expressions:

murder in the first degree	alternative juror	verdict
premeditated murder	motive	unanimous
to do smb's life	reasonable doubt	12 to nothing
to play on the nose of one's face	unshakable testimony	forgery
to cry at the top of one's lungs	foreman	acquittal
secret ballot	expert job	cross examination
open and shut case	to send a man to chair	to take a preliminary vote
prosecution	to be well enough	slum
hung jury	abstain	orphanage

- Screening of *12 Angry Men*

While watching the film, fill in the table where possible.

Juror's number / Actor	Juror's name	Juror's occupation	Habits	Characteristic features
1.				
2.				
3.				
4.				
5. Jack Klugman				

6.				
7. Jack Warden				
8. Henry Fonda				
9. Joseph Sweeney				
10.				
11.				
12.				

- Post-film discussion

Had all the jurors definite position in the episode of preliminary vote (11 to 1)?
 Note the main facts proving the guilt of the defendant.

Some opinions were expressed by the jurors in the process of decision-making.
 Comment on the following quotes and discuss the spread of opinion:

- “...Children from slums are trash...”
- “...I’m gonna make a man out of you even if I have to break you...”
- “...we are lucky to have a murder case...”
- “... this all is much talk about nothing...”
- “... there was room for doubt...”

- How would you assess the remarkable transformation of the jury from preliminary voting to bringing the verdict?
 - What is the role of a foreman in the jury? Was it performed successfully in *12 Angry Men*?

- Home task

Prepare a report on one of the suggested themes. Choose one to your liking.



Dr. Steven Mintz, the John and Rebecca Moores Professor of History and director of the American Cultures Program in the Department of History at the University of Houston provided audio commentary to help us understand various aspects of the film, *12 Angry Men*. Click on the links below to listen to the commentary.

- [Does the Film Accurately Depict a Jury in 1957?](#)
- [What is the Movie Really About?](#)
- [Other Films of the 1950's about Trials](#)
- [Discussion of the Characters](#)
- [Henry Fonda, Juror #8](#)

(from http://discovery.coe.uh.edu/cuin7330F2003/kaksoy/Nov22/12angry_men-slideshow/interviews.htm)

- More discussion

Comment on opinions of people who have watched the film in the USA. Do you share them?

American citizens should watch this movie because they will be able to see why juries should pay attention and take jury duty seriously. Plus, [they] see how your personality makes a difference. I learned that jury duty is important and that if there was only one guy/girl (judge) determining innocence, then the accused may be wrongly judged. This is because the judge has no one to get ideas from and discussion can benefit the person on trial. This should be important to Americans. - *Corinne W.*

12 Angry Men should be watched by citizens because it shows how when people work together, no matter how long it takes, a problem can be fixed and answered. These twelve men in the movie were fighting and acting self-centered. These men finally listened to the facts as well as each other. People in society today need to learn how to communicate with each other. People could learn a lot from *12 Angry Men*. I know I did. - *Nicole K.*

Americans should watch this movie because it deals with realism and a lot of other concepts. The fact that twelve men had to decide the fate of a young man was very emotional. They revised all the evidence and concluded there was room for reasonable doubt. If they went the other way they might have sent an innocent boy off to die. We got to see terrific actors perform and the characteristics each man portrayed to give his role personality. Others can learn many lessons from this movie about morals, values, and ethics. It is also a great educational movie to watch. - *Faith A.*

Every American should really watch *12 Angry Men*. It would show them how important jury duty is and why we should really take it seriously. This film showed me how it is to be in a jury and how many responsibilities you have to take on. I thought that anybody could be able to be in a jury, but now I know that you actually have to be very intelligent. I think others could learn to take jury duty seriously and to look and listen more carefully to every little detail in a trial. I think this film would teach us all not to rush into major decisions, to think things out, and to be a little more serious and less indifferent. - *Molly F.*

What opinions could be expressed by Russian viewers? Could you range them according to the age groups?

- For the most attentive

How do you understand the phrase of Juror # 8: "...Possible but not very probable?" Consult the dictionary and explain the difference between 'possible' and 'probable'.

What became a breaking point for the defendant? Was that a slam or a punch? "...there is a great difference between 'em."

What makes you watch 12 men not leaving one room for more than an hour? Speak on the role of cutting and decisive dialogues in creating really tense atmosphere.

The trial was in the hottest day of the year which ended with rain. Are the changes of weather correlated to the state of people in the jury room?

Discuss the message of the film.

Culminating activity- Whole group discussion

Study the article below and summarize the journalist's view on the existing jury system.

Louis Blom-Cooper
Sunday October 21, 2001
[The Observer](#)

Do serious commentators, including [Michael Randle](#) in *The Observer* last week, really believe that a civilized system of justice should allow an unreasonable decision of any court to remain unchallenged, merely on the grounds it was made by a jury? Several have bridled at the suggestion from Sir Robin Auld in his review of the criminal courts in England and Wales that the law should provide a right of appeal against perverse jury acquittals - just as perverse convictions can be challenged.

No doubt, jurors see things differently from judges: some defendants will escape conviction which they would be less likely to avoid at the hands of the lawyerly decision-maker. Contrariwise, juries may convict where the judicial decision-maker would find the evidence insubstantial. But that is not what the argument is about. Perversity in this context is the rendering of a decision so unreasonable that no reasonable observer could support it.

If any Minister of the Crown (or a Cabinet of Ministers) were to make a perverse decision, all of us would be goading on the victims to rush to get the decision quashed by the courts. Why, then, are 12 citizens, drawn at random -

unelected, publicly unaccountable and socially irresponsible - permitted such unbridled freedom that their verdicts can bring criminal courts into disrepute?

If it is only a question of a difference between layman and lawyer on the weight of evidence, the duty is clear. Every juror swears he or she 'will faithfully try the defendant and give a true verdict according to the evidence' - and that means evidence legally admissible in court, without extraneous influence.

Perversity plays no part in the civilized process of adjudicating on guilt or innocence. Since the jury is presumed to apply the relevant law as explained to them by the judge, the oath must refer to the findings of fact. The trial is by judge and jury - not, as in the US, by the jury alone. Thus perversity contaminates the judiciary as much as the jury.

There can be no room in the due process of criminal justice for the jury to import factors outside the ambit of factual evidence...

...That is precisely what Lord Devlin contemplated in his famous phrase 'the jury is the lamp that shows that freedom lives'. Each jury is a mini-parliament; the jury sense is the parliamentary sense of deciding cases on factors outside the evidence, introducing notions of justice that may defy the established law and reflect a political attitude. Perverse verdicts have never been judicially endorsed as such, but are the unforeseen product of two unrelated facets of the jury system: the exclusive power of the jury to determine an accused's guilt or innocence and the absence of any right of appeal against an acquittal (the right of convicted persons to appeal against conviction was granted only after 1907). There is no constitutional or legal support for a verdict contrary to the weight of evidence. It is a concoction of those who clamor for populism and display a distinct - perhaps healthy - distrust of lawyers. The jury is the apotheosis of amateurism.

The European Convention on Human Rights demands a fair trial before an independent and impartial tribunal. It says nothing about the mode of criminal trial. There can be no gainsaying that the jury is the totem pole of the English. It suits the English temperament. It is culturally fine. But to venerate it to the point where its verdicts remain unchallengeable is a nonsense. It may even be in breach of the European Convention since a fair trial demands a reasoned verdict.

- Home task

Compare and contrast the jury system in the US and in the Russian Federation. Express your opinion on the possible merits and demerits of this system.

TWELVE ANGRY MEN

Author: Karen Kagramanov
Moscow, Russian State University for Humanities, Center for American Studies

Objectives:

- Study of American Values (based on the film *12 Angry Men*);
- Developing knowledge of the judicial system of the USA
- Introduction of basic notions of the jury selection process
- Describing the functions of a jury
- Development of Web search skills for obtaining required information;
- Teaching essay writing.

Duration of each lesson: 90 min.

Exposition:

Due to the genre of the film and its content, students are recommended to pay attention to the following topics: the judicial system in the USA, the Presumption of Innocence, Law proceedings and others.

Before watching the movie and dealing with each topics students are supposed to get and learn the vocabulary of the film and topical vocabulary. It will lead to better understanding and stimulate follow-up discussions.

A review of the movie taken from the Internet or from another source is also of great importance.

Lesson 1.

The review by Damian Cannon is given as an example:

The still brilliant examination of one man's life in the balance, **12 Angry Men** irrevocably alters one's perceptions of the trial by jury process. With a worried gaze, the defendant (John Savoca) pensively stares at the retreating backs of his jury. On trial for pre-meditated murder, he will be sent to the chair if a unanimous verdict of guilty is returned. Inside the jury room, Juror No. 1 (Martin Balsam) tries to impose order in his capacity as Foreman. He doesn't particularly wish to shoulder this burden but, if he must, he'll try to discharge his duties responsibly. With

all assembled the mood suggests that an immediate vote should be held; hands rise, some hesitantly and some vigorously, all for guilty. The Foreman slowly counts round the table and reaches eleven - someone has bucked the trend and plumped for not guilty.

As twenty-two eyes sweep along the table, Juror No.8 (Henry Fonda) manages to look both confident and nervous. Under intense and frankly hostile scrutiny, No. 8 states that he couldn't vote in that way for one simple reason; there is reasonable doubt in his mind. Juror's No. 3 (Lee J. Cobb) and No. 10 (Ed Begley) explode in disbelieving anger, amazed that any reasonable man could harbor the slightest uncertainty. Fortunately, before they can really get offensive, the decision is made that all should explain their choice in a bid to convince their recalcitrant buddy. As expected their feelings range from the subdued, Juror No. 2 (John Fiedler), to the coldly analytical, Juror No. 4 (E.G. Marshall), to the stupid, Juror No. 7 (Jack Warden). None of this sways No. 8 though for he has a trump card; a switchblade just like the supposedly unique knife used in the killing.

Stunned, and somewhat insulted, by his forethought the jurors erupt in a babble of repudiation. The wind is taken from their sails by his calm rebuff though; he knows that his find proves nothing, yet it strikes a note of caution. Still, people like Juror No. 5 (Jack Klugman), himself a survivor of the slums, and Juror No. 6 (Edward Binns) remain sure of the boy's guilt. Sensing that he can go no further without an all-or-nothing gesture, No. 8 concedes that he'll change his mind if all eleven remain resolute. A secret ballot occurs and the Foreman reads out the results; amazingly another has risen to stand by No. 8, giving support in a time of need. Could it be Juror No. 9 (Joseph Sweeney), a wizened old man? Perhaps the change was made by Juror No. 11 (George Voskovec), a recent immigrant? Could it be that Juror No. 12 (Robert Webber), a young ad-man, has bounced into the opposite court? Only discussion can reveal this, which is exactly what No. 8 banks on.

A critically important film in a world swayed by emotion, **12 Angry Men** makes its point that only reason and fact have a place in the courtroom blindingly clear. With a room full of fallible, prejudiced and ultimately unsure men, the term *reasonable doubt* becomes crystal clear. The whole spectrum of humanity (at least, the white male side of it) is represented, from the foul and poisonous bigotry of No. 10 to the equally unpleasant chilling logic of No.4. While this set-up is somewhat convenient, director Sidney Lumet doesn't make the mistake of portraying a clear battle between intelligence and ignorance. He doesn't

even provide the juror's names, hampering any gratification through identification. Instead anyone can be wrong; the only requirement to be right is that you should be flexible enough to acknowledge this possibility.

Supported by a sterling cast, it's no great surprise that **12 Angry Men** features some great performances. What's less expected is that every cast member shines at both the individual and ensemble level; this is a master-class in projecting the subtle details of character. At the head stands Fonda, a voice of reason even as he realizes that this may free a murderer; his strength lies in finding the weak spots in arguments. Cobb is almost as terrific with his overbearing, angry, sadistic and contradictory playing of a man who finally deserves our sorrow. Equally unsympathetic and obnoxious, Begley perhaps pushes the envelope the furthest, becoming isolated in his hatred. Others like Sweeney give similarly gripping performances, in his case with a frail sharpness and eye for detail, though with less venom. The key ingredient is that everyone in **12 Angry Men** gives their all; obviously the intensive rehearsal ordered by Lumet garnered an admirable cohesion.

Adapted directly from the play, **12 Angry Men** retains the skeleton of its origin; a single pressure-cooker room, twelve divisive individuals and a life or death choice. What's added is the influential and wonderful cinematography of Boris Kaufman, amongst other things. At pivotal moments the camera closes in on what's important, picking out individual beads of sweat. It's beautiful to experience, especially on the big screen. Allied with economical and piercing dialogue, the outcome is frequently explosive; you cannot fail to be moved by **12 Angry Men**. It's true, however, that the film has some faults, beyond the composition of the jury. For example, the facts conveniently allow themselves to be demolished with *all* of the evidence being found to contain flaws. It doesn't matter though because **12 Angry Men** does the one thing that is beyond reproach; it never states the guilt or innocence of the defendant. This doesn't matter and by ignoring this point, the movie gives pause for consideration and thought.

The vocabulary of the film (to be distributed and translated by the students before viewing the film):

- case
- murder in the first degree
- testimony
- to separate the facts from the fancy
- the accused

- a reasonable doubt
- not guilty
- to find the accused guilty
- recommendation for mercy
- mandatory
- alternate jurors
- open-and-shut case
- assault
- burglary
- customary
- to send someone to the chair
- to serve a jail term for forgery
- prosecuting attorney
- in logical sequence
- coroner
- motive
- to provoke someone into committing murder
- mugging
- slum
- a filthy neighborhood
- potential menaces to society
- defense
- eyewitness
- to talk one's ears off one's head
- recognition
- to change one's vote
- a promising situation for a young lawyer
- trial
- to wipe off fingerprints
- to yakety-yak
- exhibit
- to play charades
- executioner
- slip through one's fingers
- to have a responsibility
- to take a breath
- to have something constructive to say
- upsetting experience
- to be under great emotional stress
- to take pains to do something
- whodunit

- stab wound
- switchblade
- to have the guts to do what you think is right
- acquittal
- phoney story
- personal prejudice
- to gamble on probabilities
- evidence
- to rub one's nose
- public appearance
- to assume something
- to be convinced
- to intimidate someone

Comprehension questions (to be answered after watching the movie):

1. Was Mr. Davis sure of the boy's innocence?
2. Why do you think the man who voted "guilty" almost up to the very end was so persistent?
3. Why did the jury think that the old man living next door to the boy could be mistaken?
4. Which member of the jury voted not according to his principles but because he wanted to leave as soon as possible? What was the other members' attitude toward him?
5. Why do think the jury consisted of only men?

Lesson 2

Juridical system in the USA

Introduction and explanation of the main terms

Essential Vocabulary

- **Accused, charge, indict** – обвинять, выдвинуть обвинение
- To accuse smb. of smth. — обвинять кого-л. в чём-либо

- To accuse smb. of unfaithfulness — обвинять кого-л. в неверности
- To accuse smb. to his face — бросить обвинение кому-л. в лицо
- To accuse smb. behind his back
- To accuse smb. of telling lies — обвинить/упрекать кого-л. во лжи
- To accuse smb. justly — справедливо обвинить/винить кого-л.
- To accuse smb. as a thief — обвинять кого-л. в воровстве
- To accuse capitally — обвинить в совершении преступления, карающегося смертной казнью
- *He was accused of murder. — Его обвинили в убийстве.*
- *Her assistant was accused of theft and fraud by the police. — Полиция обвинила ее помощника в воровстве и мошенничестве.*
- **Guilty** – виновный (of – в чем-л.), преступный
- to plead guilty – признавать себя виновным

- **Case** – судебное дело

- **Jury** – 12 присяжных, выносящих приговор по гражданским и уголовным делам
- Common jury, trial jury
- Grand Jury – большое жюри присяжных; присяжные, решающие вопрос о предании суду
- Petit jury — малая коллегия присяжных
- To empanel, swear in a jury — приводить к присяге присяжного
- To fix a jury — развращать, подкупать присяжных
- To sequester a jury — удалять присяжного
- To serve on a jury — выступать в роли присяжного
- To charge, instruct a jury — инструктировать, наставлять присяжного
- The judge charged the jury. — Судья наставлял присяжных.
- The jury is still out. — Судьи все еще консультируются.
- Blue-ribbon jury — специальное, тщательно подобранное жюри присяжных заседателей
- Jury is dismissed/to dismiss a jury — отпускать присяжных

- **Judge** – судья

The judge looks like he's asleep.

- **Litigation** – судебный процесс, спор, тяжба
- Civil litigation – судебный процесс по гражданскому делу
- Local litigation – тяжба в местном суде
- Litigation expenses, legal fees – судебные издержки
- Issue in the litigation – предмет судебного спора

- **Law** – закон
- To bend the law – нарушать закон
- Against the law, illegal – незаконно
- No-one is above the law – закон распространяется на всех
- In trouble with the law – иметь проблемы с законом
- By law, legally – в соответствии с законом
- To obey and respect the law, to be a law-abiding citizen – уважать закон, быть законопослушным гражданином

- **To defend** – защищать

- **Defendant** – подсудимый

- **Lawyer**, barrister, solicitor – адвокат
- To hire, retain a lawyer — нанять адвоката
- Practicing lawyer — практикующий юрист, адвокат

- **Attorney**
- Attorney General — министр юстиции (в США)
- District attorney, circuit attorney — прокурор округа (в США)
- Pardon attorney — адвокат по вопросам помилования
- **Declaration** – исковое заявление истца
- **Plaintiff** – истец

- **Sheriff** – шериф, судебный исполнитель
- **Cross examine** – перекрестный допрос

- **Verdict** – приговор, решение присяжных заседателей
- Reach a verdict; return a verdict – выносить приговор

- **Court** – суд

- Courtroom – зал суда
 - Courthouse – здание суда
 - Contempt of court – неуважение к суду

 - **Evidence** – доказательство
- But what was the evidence of her offence?*
- Medical evidence – медицинское доказательство
 - Evidence for the defense – показания свидетелей защиты
 - Weigh up the evidence – оценить доказательства
 - Evidence of crime – улики
 - A piece of evidence – улика
 - Written evidence – письменное свидетельство
 - Evidence at law – судебные доказательства
 - Destroy the evidence – опровергнуть свидетельские показания
 - To prove the evidence – подтвердить свидетельстве показания
 - In evidence — принятый в качестве доказательства
 - Evidence against — свидетельство против
 - To call in evidence — вызывать в суд для дачи показаний
 - To gather evidence, to piece together evidence — собирать улики
 - To suppress evidence, withhold evidence — утаивать улики
 - To bear evidence, furnish evidence, give evidence, introduce evidence, produce evidence, provide evidence — свидетельствовать, давать свидетельские показания
 - Evidence in the case – доказательства или показания по делу
 - Evidence on oath – показания под присягой
 - Physical evidence
 - Irrefutable evidence – неопровержимое доказательство
 - Insufficient evidence – недостаточное доказательство
 - First hand evidence – доказательство из первых рук
 - False evidence – ложное показание
 - Expert evidence – заключение эксперта
 - Strong evidence – весомое доказательство
 - Conclusive/decisive evidence – окончательное, решающее доказательство
 - Circumstantial evidence – косвенное доказательство
 - Evidence of guilt – доказательства вины

- Evidence wrongfully obtained – доказательства, полученные с нарушением закона
- To plant evidence – сфабриковать доказательства
- **Testimony** – свидетельство
- **Truth** – правда, истина, истинность
- **Crime** – преступление, нарушение закона
- To commit crime – совершить преступление
- **Offence** – проступок, нарушение; преступление
- To commit an offence — совершить проступок
- Criminal offence — уголовное преступление
- Impeachable offence — нарушение, которое может быть подвергнуто судебному преследованию, импичменту
- Indictable offence — преступление, преследуемое по обвинительному акту
- Minor offence — мелкие правонарушения, проступок
- Petty offence — незначительные правонарушения
- Trivial offence — грешок, мелкий проступок
- Serious offence, capital offence — серьезное правонарушение
- **Suspended sentence** – условный срок
- **Victim** – жертва
- To fall a victim to — стать жертвой кого-л., чего-л.
- Accident victim — пострадавший от несчастного случая
- Innocent victim — невинная жертва
- **To appeal** – подавать апелляцию
- **To sue**, to mount a suit – предъявлять иск
- **Trial** – судебный процесс, иск преследование по суду, судебное дело, тяжба, судопроизводство
- Open (-court) trial – открытый судебный процесс
- To conduct/hold a trial – вести судебный процесс
- Staged trial – инсценированный судебный процесс
- Trial by jury – рассмотрение дела с участием суда присяжных

- Trial by ordeal – суд божий
- To bring to trial/ to put (up) on trial/to place on trial – предать суду
- To face trial – предстать перед судом
- To stand trial – отвечать перед судом
- Civil trial – гражданское судопроизводство
- Criminal trial – уголовное судопроизводство
- Preliminary trial – предварительное слушание дела
- Trial case – дело, подлежащее судебному рассмотрению
- Case on trial – дело на стадии судебного рассмотрения
- Delay in trial – отсрочка судебного разбирательства
- Trial list – список дел к слушанию
- Investigation at the trial – судебное следствие
- Party to a trial – участник в процессе

- **Cause** – судебный процесс, судебное дело, тяжба
- Legal cause – судебное дело, законное основание
- Major/minor cause – дело о тяжком/малозначительном правонарушении
- Costs in cause – судебные издержки
- Cause list – список дел к слушанию
- Side in a cause – сторона по делу

- **Process** – судебный процесс, процедура, порядок, производство дел
- Investigation process – процесс расследования

- **Proceedings** – судебный процесс, тяжба, разбирательство
- To take criminal proceedings – возбудить уголовное преследование
- Civil proceedings – гражданское производство
- Forfeiture proceedings – процедура конфискации

- **Controversy** – гражданское судебный процесс, правовой спор, судебный спор

- **Prison, jail** – тюрьма

- **Witness** – свидетель

Jury: Introduction, History, Selection of a jury, Function of a jury
(from Microsoft Encarta Encyclopedia Deluxe 2004).

I INTRODUCTION

Jury, in law, a body of people who are chosen to decide the truth of factual evidence in an action or legal proceeding and, on instruction of the court, to apply the law to the facts. Such a body is called a petit jury or trial jury. Traditionally, a trial jury consists of 12 people, often with one or two alternates.

II HISTORY

The exact origin of the jury system is not known; various writers have attributed it to different European peoples who at an early period developed methods of trial not unlike the early jury trials in England. It seems probable that the jury in England was derived directly from the Norman institution of recognition by sworn inquest, whereby 12 knights were chosen to serve as recognitors. Their duty was to inquire into various matters of interest to the new rulers of England that might be the subject of public inquiry. These matters of interest might include the taxation of a subject.

As early as the 12th century, it had become customary for suitors in certain cases affecting the title to real estate to apply to the King's Court for the summoning of recognitors to ascertain, either from their own knowledge or on inquiry from others, the truth of the matter at issue; the verdict of the court, if unanimous, was accepted as conclusive. It was natural that other questions of fact arising in the King's Court should be disposed of in a similar manner, and the gradual transformation of the recognitors into the jury in common law followed as a matter of course. Originally, the jury members were not only judges of fact, but were also witnesses who were selected because of their knowledge of the customs and the people of the locality, and possibly of the suitors themselves. In the early 15th century, however, the judges of the courts of common law restricted the jury to the performance of its function as a judge of fact based on the evidence submitted in an action. This is the single function of the jury in modern practice.

III SELECTION OF A JURY

In the U.S. the selection of a jury commences when a large group of citizens is called to appear for jury duty at each term of court. They are selected according to statutory and constitutional provisions. Each state has its own qualifications for those who may serve on a jury. In general, all jurors must be U.S. citizens, local residents, of majority age, of

approved integrity, and of reasonable intelligence. The group of jurors called at any one time is known as a panel. Both the state and federal courts have independent lists of jurors that are made up under the direction of officials known as commissioners of jurors. Jurors are paid, as provided by statute, for time spent serving on jury duty.

At a trial the selection of the jury is made subject to the direction of the presiding judge. The names of the prospective jurors are drawn by lots by the clerk of the court. Both the defense and the prosecution may examine the jurors to ascertain whether cause for challenge in any particular case exists—that is, whether circumstances exist that might improperly influence a juror's decisions, such as bias or self-interest. The parties to the action or their attorneys may then exercise their right to eliminate undesirable members from the jury by means of challenge.

IV FUNCTION OF A JURY

After a satisfactory jury has been drawn, the jury is sworn, and the trial proceeds. In general, during the progress of a trial, all questions of law are determined by the court and questions of fact by the jury. The limits of the inquiry as to facts are determined by the pleadings and the rules of evidence. Whether evidence is properly admissible or not is a question for the court, but the weight and credibility of the evidence admitted are determined by the jury. The court, however, may decide a question of fact without sending the question to the jury if no conflict of evidence exists on the point. The court may also interpret written instruments received in evidence without aid of the jury.

After all the evidence has been presented, the two counsels, first for the defendant and then for the plaintiff or prosecution, “sum up,” that is, each addresses the jury, reviewing the evidence in the case and commenting on it in a manner favorable to that counsel's side of the case. The judge then makes a charge to the jury. The charge is a statement of the rules of law applicable to the evidence in that particular case. It is given in order to aid the jury in rendering a correct verdict. The jury then retires from the courtroom to begin deliberations. These deliberations continue until an agreement as to the verdict is reached, or until the presiding judge deems that the jury cannot reach an agreement. The latter case is known as a hung jury. In the event that no agreement is reached, a new trial may be called. All members of a jury must agree on a verdict, which in a civil trial may be “for the plaintiff” or “for the defendant,” and in a criminal trial “guilty” or “not guilty.” (In some states, however, the verdict in a civil trial need not be unanimous.) In a civil trial the jury is then

empowered to set the amount of any damages. The verdict of a jury is decisive and cannot be disturbed unless rendered contrary to law or against the weight of evidence. In such a case the verdict may be set aside, either by the presiding judge or later on appeal.

Comprehension Questions:

1. What is a jury?
2. Who is an alternate?
3. What functions did the jury have until the 15th century?
4. How is a jury selected?
5. In what situation may the court decide a question of fact without sending the question to the jury?
6. What is “a charge to the jury”?
7. What is “a hung jury”?

Essential Vocabulary:

- evidence - улика; свидетельское показание
- legal proceedings - судопроизводство; процессуальные действия
- alternate – запасной
- Grand Jury - большое жюри Расширенная коллегия присяжных (от 12 до 23 человек), решающая вопрос о предании обвиняемого суду и предъявлении ему официального обвинения [indictment]. После предъявления обвинения большое жюри распускается. В самом судебном процессе участвует малое жюри [petit jury , trial jury]
- to attribute something to somebody – приписывать что-либо кому-либо
- to be derived from something – происходить от чего-либо
- to inquire into something - расследовать
- the verdict of the court – постановление суда
- statutory - предусмотренный законом
- panel - список присяжных заседателей Список лиц, из которых формируется состав коллегии присяжных для слушания дела в суде. Составляется из числа лиц, достигших 18-летнего возраста, чаще всего по спискам избирателей или налогоплательщиков. В каждом штате есть своя процедура составления такого списка, осуществляемая официальным лицом. Это может быть специальный чиновник по отбору присяжных [jury commissioner] , секретарь округа [county clerk] или населенного пункта [township clerk] и т. п. С 1968 формирование коллегии присяжных по делам федеральной

юрисдикции [federal case] производится по принципу "произвольного отбора", обычно с применением компьютера.

- to be drawn by lot – быть выбранным по жребию
- bias - предвзятость
- self-interest - заинтересованность
- to eliminate members from the jury – убрать определенных присяжных
- to be sworn – давать присягу
- pleading - выступление стороны или адвоката в суде
- admissible – приемлемый
- credibility – достоверность
- a charge to the jury – напутствие присяжных
- to render a verdict – вынести приговор
- to retire from the courtroom – удалиться из зала суда
- to begin deliberations – начать совещание
- to reach an agreement – достичь соглашения
- presiding judge – председательствующий присяжный
- a hung jury - коллегия присяжных, не пришедшая к решению
- for the plaintiff – в пользу истца
- for the defendant – в пользу ответчика
- to be empowered to do something – иметь полномочия делать что-либо
- decisive - решающий
- to be disturbed – быть оспоренным
- contrary to law – противоречащий закону

Further reading¹

Early Juries

A Jury is a body of lay men and women randomly selected to determine facts and to provide a decision in a legal proceeding. Such a body traditionally consists of 12 people and is called a petit jury or trial jury.

The exact origin of the jury system is not known; various sources have attributed it to different European peoples who at an early period developed similar methods of trial. The jury is probably of Frankish origin, beginning with inquisition, which had an accusatory and

¹ Ю.Л. Гуманова, В.А. Королева-Мак-Ари, М.Л. Свешникова, Е.В. Тихомирова. Just English: Английский для юристов: Базовый курс. – М., 2002. – С. 108 – 121, 128 – 129.

interrogatory function. Trial by jury was brought to England by the Normans in 1066.

In medieval Europe, trials were usually decided by ordeals, in which it was believed God intervened, revealing the wrongdoer and upholding the righteous. In the ordeal by water, for instance, a priest admonished the water not to accept a liar. The person whose oath was being tested was then thrown in. If he floated, his oath was deemed to have been perjured. If he was telling the truth, he might drown but his innocence was clear.

In 1215, however, the Catholic Church decided that trial by ordeal was superstition, and priests were forbidden to take part. As a result, a new method of trial was needed, and the jury system emerged.

At first the jury was made up of local people who could be expected to know the defendant. A jury was convened only to “say the truth” on the basis of its knowledge of local affairs. The word *verdict* reflects this early function; the Latin word from which it is derived, *veredictum*, means, “truly said”.

In the 14th century the role of the jury finally became that of judgment of evidence. By the 15th century trial by jury became the dominant mode of resolving a legal issue. It was not until centuries later that the jury assumed its modern role of deciding facts on the sole basis of what is heard in court.

Comprehension questions

1. What is a jury?
2. How were cases resolved before jury system emerged?
3. Why was there a need for jury system?
4. What was the function of the first juries?
5. How did the function of the jury change through centuries?

Ordeal

Ordeal is a judgment of the truth of some claim or accusation by various means based on belief that the outcome will reflect the judgment of supernatural powers and these powers ensure the triumph of right. Although fatal consequences often attend an ordeal, its purpose is not punitive.

The main types of ordeal are ordeals by divination, physical test, and battle. A Burmese ordeal by divination involves two parties being

furnished with candles of equal size and lit simultaneously; the owner of the candle that outlasts the other is adjudged to have won his cause. Another form of ordeal by divination is the appeal to the corpse for the discovery of its murderer.

The ordeal by physical test, particularly by fire or water, is the most common. In Hindu codes a wife may be required to pass through fire to prove her fidelity to a jealous husband; traces of burning would be regarded as proof of guilt. The practice of dunking suspected witches was based on the notion that water, as the medium of baptism, would “accept” or receive, the innocent and “reject” the guilty. Court officials would tie the woman’s feet and hands together and then drop her some deep ware. If she went straight to the bottom and drowned, it was a sure sign that she wasn’t a witch. On the other hand, if she didn’t sink and just bobbed around for a while, the law said she was to be condemned as a witch.

In ordeal by combat, or ritual combat, the victor is said to win not by his own strength but because supernatural powers have intervened on the side of the right, as in the duel in the European Middle Ages in which the “judgment of God” was thought to determine the winner. If still alive after the combat, the loser might be hanged or burned for a criminal offence or have a hand cut off and property confiscated in civil actions.

Comprehension questions

1. What was the purpose of ordeal in early ages?
2. What were the main types of ordeals?
3. What did ordeal by fire have to prove?
4. In what way was ordeal by water devised?
5. What concept was at the basis of ordeal by combat?

The Fear of Jury Duty

For Americans, serving jury duty has always been a **dreaded chore**. There is a plenty of history behind this fear. In colonial days, jurors were locked in a small room with no ventilation and were denied food and water in an attempt **to inspire a quick verdict**. If the jurors returned with the wrong decisions, they too were **charged with a crime**. As more and more laws were passed, **the rules of evidence** expanded and trials became longer, which resulted in more technical and increasingly boring hours for jurors. Trial lawyers have tried to change the boredom by

replacing **endless hours of testimony** with **computer animation**, video reconstructions, color charts and graphics to better explain the evidence.

The judicial system depends on juries. The United States Constitution guarantees its citizens the right to trial by **jury of their peers**. When summoned for jury duty, Americans should look upon it as an opportunity to serve their country, their community, and their **fellow citizens**.

Each year, over 5 million Americans **are summoned** for jury duty to **render verdicts** in approximately 120,000 trials.

Prospective jurors are chosen **at random** from **voter registration lists**. When people are chosen for jury duty, they are often shown a video tape explaining the jury system or given a HANDBOOK ON JURY SERVICE.

Comprehension questions

1. Why have Americans always feared jury duty?
2. In what conditions were jurors kept in colonial days? Why?
3. How has trial procedure changed through the years?
4. Why is the right to a jury trial considered to be so important for the U.S. citizens?

Lesson 3

Questions for preliminary discussion:

1. What is evidence?
2. What do you know about witnesses?
3. What do you know about evidence in different countries?

Evidence: Introduction, Law of evidence in the United States, Evidence in Other Nations (from Microsoft Encarta Encyclopedia Deluxe 2004):

I INTRODUCTION

Evidence, the means by which disputed facts are proved to be true or untrue in any trial before a court of law or an agency that functions like a court. Because American law is committed to a rational rather than a formalistic system of evidence, no value is assigned to the form or the quantity of evidence offered. Effectiveness is generally determined by how persuasive the evidence seems, especially to a jury.

In a few cases formal rules are enforced. Treason must be proved by the testimony of two witnesses, and in several states two witnesses are required for a perjury conviction. Some transactions, such as wills, transfers of land, and the sale of very valuable goods, must be evidenced by written documents.

II LAW OF EVIDENCE IN THE U.S.

American evidence law stems from historic English practice derived from the precedent of judicial decisions. Although U.S. federal courts and most states now have written legal codes, many rules for criminal cases still are found only in judicial interpretations of the U.S. Constitution.

Anglo-American evidence law contains more detailed rules of proof than do other legal systems. This is largely attributable to the historic practice of trial by jury, still prevalent in the U.S. Less strict rules of proof prevail in administrative agencies (for example, workers' compensation boards) where juries are not used, as well as in trials before judges alone. The following are some of the detailed rules that must be addressed in a legal action.

A Burden of Proof

The burdens of producing evidence on a given point and of persuading the judge or jury of its truth are assigned by law to one side or the other in a court trial. Best known is the rigorous requirement that the prosecution in a criminal case must prove the defendant's guilt beyond a reasonable doubt. Lesser burdens placed on other litigants typically involve proving their case by a preponderance of the evidence. Thus a person may be found not guilty of manslaughter for a death occurring in a traffic collision when guilt is not proved beyond a reasonable doubt. That person can, however, still be held liable for damages in a civil action for the same death, and on the same evidence, because negligence can be shown by a preponderance of the evidence.

B Admissibility

Rules of admissibility determine which items of evidence judges or juries may be permitted to hear (or see or read). Modern codes declare that all "relevant" evidence should be admitted for consideration unless specifically excluded by law. Certain facts that are logically relevant and of considerable probative force are still not legally admissible evidence because of their supposed tendency to "confuse and mislead the jury."

C Relevance

Legal codes declare that evidence is relevant when it has a tendency “in reason” to prove or disprove disputed facts. Thus, direct testimony of an eyewitness is relevant because it can show that an event occurred. Using an article found at a scene of a crime to show that its owner was present is less probative, because it could have been placed or dropped there by another person. Its probative force is weak when viewed alone, but coupled with other equally weak evidence it may suffice to prove a fact. This indirect or circumstantial evidence can be effective in a court case.

Relevant circumstantial evidence may be excluded, however, when it can be misused. For example, a defendant's prior criminal record cannot be admitted as evidence to prove that the person is guilty of a present crime. In a lawsuit, the fact that the defendant is insured is excluded because it diverts attention from the problem of legal fault to the improper question of ability to pay damages.

D Hearsay

Hearsay evidence consists of statements made out of court by someone who is not present to testify under oath at a trial. Even if relevant, hearsay evidence generally is excluded unless some exception can be found. This rule is a distinctive characteristic of Anglo-American law and is virtually unknown in other legal systems. One reason for the exclusion of hearsay is the practice of cross-examination of witnesses in open court by opposing lawyers; written or oral assertions made by a person not present cannot be subjected to cross-examination.

Various exceptions are made, however, to the exclusion of hearsay evidence. Not everything that a witness “heard said” is considered hearsay, for sometimes the very speaking of words is important apart from their truth. For instance, the threat “Your money or your life” proves an intent to rob. Moreover, not all hearsay is excluded from consideration. The fact that an accused person has confessed guilt may support a conviction despite denials or silence at a trial. A confession is an admission by a person to the action in question—a classic hearsay exception. A confession is not admissible, however, when obtained by threats or promises of favor (see Confession).

The recognized exceptions usually invoke either or both of two principles: (1) The statement was made by a speaker who had reason to

be truthful, and (2) the speaker is now unavailable to testify. The classic example is a “dying declaration” that may prove the cause of death of a speaker who knew that death was imminent, because the deceased had little reason to lie and cannot now testify. Other exceptions to the hearsay rule involve written evidence such as birth and death records.

E Witnesses

Nearly all persons with knowledge relevant to the case can testify; only those limited by extreme youth or mental incapacity are precluded. Ordinary witnesses may state only their own knowledge and are required to express facts rather than opinions. A special category called expert witnesses also exists. Experts sometimes utilize hearsay and routinely express opinions. Physicians, for example, can testify as to the causes of death and injury; through training and experience, they are better qualified to form an opinion than the jurors (see Forensic Science).

Legal evidence is not limited to the sworn testimony of witnesses. Specific objects, when identified by oral testimony, may often be introduced in evidence when their existence or appearance tends to prove or disprove an alleged fact. Thus, models, parts of machinery, weapons, clothing, and documents may generally be introduced in evidence.

F Privileges

Except for the accused party, all persons can be compelled to be witnesses in a trial, but not every question asked must be answered. Facts that need not be disclosed on demand are known as privileged information. Information may be privileged even when the response would serve the cause of truth and justice.

Only powerful social interests, however, can justify refusal to answer questions, so privileges are few. Among those established are the need of the nation to protect military and diplomatic secrets, often called executive privilege. No person has to provide information that is self-incriminating, either as a witness in a trial or in response to police questioning. This protection is guaranteed by the 5th Amendment of the U.S. Constitution. Although technically not a privilege, a related rule is that evidence obtained by unlawful search or seizure by police is inadmissible in court; it is considered more important to maintain legal protection for all than to convict guilty parties.

In addition, some disclosures made in confidence need not be revealed. Attorneys cannot repeat what their clients have told them privately. One spouse can neither be forced nor permitted to reveal the secrets of the other spouse; indeed, some states excuse one spouse from testifying at all when the other is being prosecuted or sued. These historic protections have generally been expanded to include a few special relationships; in some jurisdictions, attorneys, physicians, and members of the clergy are not permitted to testify on confidential communications received by them in their professional capacity.

III EVIDENCE IN OTHER NATIONS

The rules of evidence vary throughout the world. In the United Kingdom, evidence law closely resembles its American descendant because the trial court practices remain nearly identical. The major departure has been British abandonment of jury trials in noncriminal cases, which accounts for their relaxation of the hearsay rule in civil cases. Other legal systems deriving from British traditions, such as those in Canada and Australia, have similar evidence laws.

Western Europe generally follows a civil-law tradition in trial procedure and consequently employs quite different evidence rules. The codes there are nearly silent on the subject of admissibility, most probably because jury trial is unknown. Witnesses are questioned by judges rather than by lawyers, thus minimizing disputes about what questions are permissible. European civil and criminal codes allow witnesses privileges similar to those found in the American legal tradition, although they are generally less protective of the accused party. See Civil Law.

The socialist nations of Eastern Europe continue the judicial procedures in force before socialism was adopted. Their practices closely resemble those of their Western neighbors. Marxist principles have had some influence on court procedures, but little on evidence law.

The Soviet Union employed judicial procedures that resembled Anglo-American practices. Because jury trial was not used, no rule against hearsay evidence existed. The judge decided which witnesses could testify, but questioning was handled by lawyers, as in the U.S., rather than by judges, as in Western Europe. In criminal proceedings, certain limited privileges with regard to answering questions existed, but only the lawyer-client privilege was recognized in all cases.

Japan presents an unusual case. Its legal codes borrowed heavily from German laws and still resemble them to some extent, but the post-World War II constitution incorporated many protections of the accused found in U.S. law.

TWELVE ANGRY MEN

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1. план-сценарий пособия
2. Jurytasks - коммуникативные задачи первого модуля пособия
3. Tasks_part1jury - задания по видеофрагментам
4. TASKS - задания по аудиофрагментам

Пособие “12 рассерженных мужчин” рассчитано на студентов высшей школы на среднем и продвинутом этапах обучения английскому языку. Оно имеет модульный характер, и поэтому его использование не ограничено рамками специальных курсов. Содержание пособия можно применять как с целью разрешения поставленных коммуникативных задач по формированию соответствующих умений и знаний и работой над отдельными блоками мультимедийного пособия: просмотра, аудирования, чтения; так и для изучения определенной темы, например «Суды присяжных в США» в рамках курса страноведения.

Основой для создания данного пособия по обучению английскому языку и американской культуре служит фильм “12 рассерженных мужчин” и сопутствующие тематические аудио- и текстовые материалы. Фильм рассказывает о том, как 12 присяжных решают, виновен или нет молодой человек в убийстве своего отца. Основная тематика картины: судебная система США, расовые и социальные предубеждения, смертная казнь, отношения отцов и детей.

При запуске мультимедийного пособия появляется навигационное меню, содержащее иконки-названия тематических модулей пособия. Структура пособия “12 рассерженных мужчин” содержит 6 учебных модулей, тематически охватывающих основную проблематику фильма и представляющих собой полный комплекс методических заданий и упражнений (просмотр, аудирование, чтение) необходимых для разрешения

поставленных перед студентами коммуникативных задач. Это следующие тематические модули:

1. Суды присяжных в США

Материалы данного модуля позволяют студентам получить общее представление о суде присяжных: истории его возникновения в США, а также о его структуре и особенностях. Обучаемые знакомятся с процессом отбора и требованиями, выдвигаемыми к потенциальным кандидатам на роль судьи присяжных. Во время работы над данным модулем студентам предлагается сравнить судебные системы, применяющие и не использующие суд присяжных в своей практике, и выявить значимость и роль в присяжных судебном процессе.

2. Смертная казнь

Содержание данного модуля посвящено вопросам смертной казни в суде присяжных. Во время работы с пособием студентами будут затронуты такие аспекты как: ответственность и право судей выносить приговор о смертной казни, этические и религиозные аспекты смертной казни.

3. Социальная среда и личность

Собранные в этом модуле материалы помогут студентам выявить причины подростковой преступности, изучить вопросы социальной незащищенности, неравенства, проблемы неблагополучных семей и так называемых трудных подростков.

4. Типология личности

Изучение материалов и работа над коммуникативными задачами данного модуля имеет целью, научить обучаемых составлять полный психологический портрет личности. Здесь рассматриваются фрагменты фильма “12 рассерженных мужчин”, затрагивающие отношения между людьми в ситуациях общения, а также невербальное общение героев.

5. Особенности судов присяжных в разных странах

6. Закон в гражданском обществе

- Плюрализм мнений

- Активная жизненная позиция
- Суды присяжных сегодня: преимущества и сложности

Выбрав любой из тематических модулей в меню, в следующем окне мы видим кнопки-указатели типов речевой деятельности (Activities), согласно которым можно приступать к работе с пособием в произвольном порядке. Это просмотр, аудирование, чтение и коммуникация (Watching, Listening, Reading, Communication Activities):

- Watching. Просмотр видеофрагментов, а также выполнение предсмотровых и послесмотровых упражнений.

- Listening. Прослушивание аудиофрагментов и выполнение упражнений.

- Reading. Чтение тематических текстов и работа с пред- и послетекстовыми упражнениями. (Кроме того, для снятия лексических сложностей на этапе ознакомления вводится функция просмотра фильма с использованием английских и русских субтитров. А также во время работы с пособием студенту будет доступен встроенный в обучающую оболочку словарь сложных слов и специальных терминов).

- Communication Activities / Коммуникация. Результатом работы над каждым из учебных модулей станет разработка и выполнение студентами проекта/творческого задания, дающего возможность отработать и закрепить на практике, в ситуации приближенной к реальности, полученные знания. Так, итогом работы в модуле «Судебная система в США» может стать подготовка электронных презентаций по сравнению особенностей и различий американской и русской судебной системы. Результатом работы по блоку «Смертная казнь» видится разработка проведения диспутов, форумов и ролевых игр, а итогом цикла о «Типологии личности» - составление полного психологического портрета и характеристики личности. Задания данного блока планируется использовать в рамках аудиторных часов при смешанной модели обучения (самостоятельная индивидуальная работа учащихся с диском + обсуждение и закрепление в классе с преподавателем).

При выборе блока заданий, например Watching, в открывшемся окне появляются варианты упражнений, которые студент может выполнять также в произвольном порядке.

Основные типы упражнений, входящие в состав каждого тематического модуля:

- тесты единственного и множественного выбора
- упражнения на перевод звучащего и письменного текста
- сравнение списков (поиск эквивалентов, дефиниций, синонимов и антонимов)
- работа с текстом (упражнения в форме таблицы - заполнить по смыслу пустые ячейки, вставить недостающую информацию, вставить в текст подходящие по смыслу или недостающие фразы, решить верны или нет высказывания)
- сравнение с текстом-эталонном (заполнение пропусков, воссоздание диалогов, написание скриптов к видеофильму)
- работа с иллюстративным материалом (собрать воедино, правильно расположить элементы рисунка, схемы)

планируется равномерно представить в каждом учебном модуле. Например, преподаватель ставит проблему: Почему в цивилизованной Америке до сих пор существует смертная казнь? Оправдываете ли вы лично её применение? И каждый фрагмент фильма в выбранном модуле сопровождается тематически связанными радиопрограммами (Голос Америки, Национальное Общественное Радио) или телесюжетами (CNN, BBC World), поясняющими или высвечивающими под другим углом тот или иной социокультурный смысловой элемент фильма. Задачей студента является выявить, чем обусловлены противоположные точки зрения на данную проблему. В навигационном окне «Чтение» студент получает возможность просмотреть и проанализировать текстовые аутентичные материалы, отражающие различные точки зрения на эту проблему, выполняя по ходу задания на отработку лексических навыков и умений чтения. Студент также

выполняет задания на формирование умений аудирования и усвоение новой лексики.

Оценка выполнения студентом предложенных заданий будет осуществляться благодаря различным формам контроля. Общая система контроля в пособии основана на постепенном переходе студента по мере выполнения и усвоения им материала от одного блока упражнений к другому. Планируется дифференцированная система оценок при выполнении различных упражнений, так за каждый правильный ответ в упражнении более легкого характера студент получает 1 балл, в более сложном – 2 балла, при неправильном ответе - 0. Хотелось бы ввести также определенные игровые элементы, например, если студент при просмотре фрагмента фильма уверен, что он хорошо понял и усвоил лексику, он может сразу же, минуя задания на проверку понимания увиденного, приступить к заданиям на смысловое содержание фрагмента, не теряя при этом баллов. При удачном или неудачном выполнении задания появление результатов в окне будут сопровождаться анимациями. Время выполнения студентом заданий регламентируется встроенным таймером и полученные в ходе работы с пособием баллы фиксируются и накапливаются в базе данных, что позволяет на конечном этапе выявить уровень полученных студентом знаний и его языковой компетенции в рамках предложенной тематики.

Overview

In most [criminal justice systems](#) which require juries, panels are initially selected at random from the adult population of the district served by the [court](#) concerned. A person who is serving on (that is, part of) a jury is known as a juror.

The requirements for a jury are fairly universal. The number of jurors must be a specified size (often but not always 12), and since there is always the possibility of jurors not completing the trial for health or other reasons, often some alternate jurors are nominated, who will also follow the trial (but do not take part in deciding the verdict), as a precaution in case a new juror is needed part way through the trial.

Serving on a jury is normally compulsory if a citizen is chosen (exceptions and exclusions vary between jurisdictions and are discussed below). Since a jury is intended to be an

impartial panel capable of reaching a verdict, there are often procedures and requirements, for instance, fluent understanding of the language, or the ability to test jurors or otherwise exclude jurors who might be perceived as less than neutral or more partial to hear one side or the other.

The jurors hear the cases presented by both the defense and prosecution, and in some jurisdictions a summing-up from the [judge](#). They then retire as a group to consider a [verdict](#). The majority required for a verdict varies. In some countries their decision making process is private and may not be disclosed, in others it may be discussed but only after the trial has ended.

In [common law countries](#) such as [Great Britain](#) and the [United States](#), the role of the jury is the "finder of fact", while the Judge has the sole responsibility of interpreting the appropriate law and instructing the jury accordingly. Occasionally, a jury may find the defendant "not guilty" even though he violated the law if the jury thinks that the law is invalid or unjust. This is commonly referred to as [jury nullification](#). When there is no jury ("bench trial"), the Judge makes factual rulings in addition to legal ones. In most European jurisdictions, the Judges have more power in a trial and the role and powers of a jury are often restricted.

Actual jury law and trial procedures differ between countries.

The concept of a modern jury trial stems back to [Magna Carta](#), where the right was given in [England](#) for [nobles](#) and [freemen](#) to be tried by a panel of their peers, rather than by summary judgment of the [king](#) or other official who often had the utter power to impose their own arbitrary judgment. The concept can also be traced to [Normandy](#) before [1066](#), when a jury of nobles was established to decide land disputes. In this manner, the Duke, being the largest land owner, could not act as a judge in his own case. Many ancient cultures had similar concepts, notably ancient [Judea](#) whose panel of judges called the [Sanhedrin](#) served a similar purpose. The [Athenians](#) by [500 BCE](#) had also invented the jury court, with votes by [secret ballot](#). These courts were eventually granted the power to annul [unconstitutional](#) laws, thus introducing [judicial review](#).

TASKS

Problem 1. Judge or Jury? Compare judge-and jury-based court systems.

Activities

Presentation

- a) Prepare a Power Point presentation where you would try to show the advantages and disadvantages of judge- and jury-based court systems.
- b) Prepare a Power Point presentation where you would try to discredit one of these systems.

Watching

Exercise 1



Watch the first episode of the film and choose the right answer

1 The boy is suspected of committing:

- a) murder by accident
- b) armed robbery
- c) series of murders
- d) planned murder

2 If the boy's guilt was proven, he would be facing

- a) capital punishment without the possibility to be pardoned
- b) life imprisonment
- c) capital punishment with the possibility of mercy
- d) conditional sentence

3 The judge will accept the jurors' decision if only:

- a) a simple majority of the jurors vote for it
- b) 100% of the jurors vote for it
- c) 99% of the jurors vote for it
- d) two thirds of the jurors vote for it

4 What instructions **did** the judge **not** give to the jurors?

- a) to separate facts from fancy
- b) to be responsible
- c) to interpret the law according to the judgments
- d) to remember that the boy will be killed if they decide he committed the crime

Answers.

1- d, 2- a, 3- b, 4-c

Exercise 2

In the following summary of the episode fill in the gaps by the words you have heard in the film.



*The film opens with the camera looking up at the imposing pillars of justice outside **Manhattan's Court of General Sessions** on a summer afternoon. The subjective camera wanders about inside the marbled interior rotunda and hallways, and on the second floor haphazardly makes its way into a double-door room marked 228. There a judge wearily instructs the twelve-man jury to begin their deliberations.*

The judge: To continue, you've listened to a long and complex 1 **case** of 2 **murders in the first degree**. The 3 **premeditated murder** is the most serious 4 **charge** 5 **tried** in our 6 **criminal courts**. You've listened to the 7 **testimonies**. You had the law read to you and interpreted as it 8

applies in this case. Now your duty is to sit down and try to separate the facts from the fancy. One man is dead and another man's life is at stake.

If there's a 9 **reasonable doubt** in your minds as to the 10 **guilt** of 11 **the accused**, a 12 **reasonable doubt** then you must bring me a 13 **verdict of not guilty**. If however, there is no 14 **reasonable doubt**, then you must in good conscience find the 15 **accused** guilty. However you decide, your 16 **verdict** must be unanimous. In the event that you find the 17 **accused** guilty, the bench will not entertain a recommendation for mercy. The 18 **death sentence** is 19 **mandatory** in this case. You are faced with a 20 **grave responsibility**.

The bailiff: Thank you, gentlemen. The alternate jurors are excused. The jury will now retire.

The judge: To continue, you've listened to a long and complex 1.....of 2..... The 3is the most serious 4..... 5..... in our 6 You've listened to the 7 You had the law read to you and interpreted as it 8in this case. Now your duty is to sit down and try to separate the facts from the fancy. One man is dead and another man's life is at stake.

If there's 9in your minds as to the 10of the 11, a 12then you must bring me a 13 If however, there is no 14....., then you must in good conscience find the 15..... guilty. However you decide, your 16must be unanimous. In the event that you 17.....guilty, the bench will not entertain a recommendation for mercy. The 18is 19in this case. You are faced with a 20 Thank you, gentlemen. The alternate jurors are excused. The jury will now retire.

If you find it difficult to do the exercise, go to Reading Activity 1 and pick up the necessary vocabulary there.

Reading 1



Murder and other illegal killings

In most countries, if one person kills another person illegally, the killer might **be charged** with murder, or with some lesser offense, depending upon the circumstances:

- Unintentionally caused deaths due to recklessness or negligence are treated in most countries as the lesser crime of **involuntary manslaughter** or criminally **negligent homicide**
- Intentional killings without **premeditation** are sometimes charged as **voluntary manslaughter** rather than murder.
- In many **common law jurisdictions**, a killer is not guilty of murder if the victim lives longer than a year and a day after the attack.
- In some jurisdictions, killings under extreme provocation or duress are legally excused as **justifiable homicide**;

Legal, non-murder killings

Some cases of **premeditated**, intentional killing have lawful excuse and thus are not legally murder, or even crimes at all. In most countries this includes:

- Killing a person who possesses an immediate threat to the lives of oneself or others, i.e. in self-defense.
- Killing a non-surrendered enemy combatant in time of war.
- Executing a person in accordance with a legally imposed **sentence of death**.

Felony murder statutes

Many jurisdictions in the United States have also adopted **felony murder** statutes, according to which anyone who commits a serious crime (specifically, **a felony**), during which a person dies, is guilty of committing murder. This applies even if one does not personally cause the person's death. For example, a driver for an armed robbery can be convicted of murder if one of the robbers killed someone in the process of the robbery, even though the driver was not present at and did not expect the killing to occur. In a few cases, some robbers have been found guilty of felony murder for the deaths of their accomplices.

Mitigating circumstances

Most countries allow conditions that "affect the balance of the mind" to be regarded as mitigating circumstances against murder. This means that a person may be found guilty of "**manslaughter** on the basis of **diminished responsibility**" rather than murder, if it can be proved that the killer was suffering from a condition that affected their judgement at the time. Depression, post-traumatic stress disorder and medication [side-effects](#) are examples of conditions that may be taken into account when assessing responsibility.

A somewhat different defense is insanity, which is almost exclusively used in cases of psychosis such as that caused by schizophrenia. In some jurisdictions, the verdict "not guilty by reason of insanity" is used in these cases, leading to the odd circumstance that a victim was murdered, but the killer is technically not a murderer under the law. Some countries, such as Canada, Italy, the United Kingdom and Australia, allow post-partum depression, or 'baby-blues', as a defense against murder of a child by a mother, provided that a child is less than a year old. Killers who have successfully argued the insanity defense are usually assigned **mandatory** clinical treatment for many years, rather than prison.

Traditionally, and still in some states, the following terminology is used:

First-degree murder (or murder in the first degree, or colloquially, murder one) refers to a murder that is **premeditated** (or planned beforehand), or murder which occurs after some degree of reflection by the murderer. This reflection can be years or less than a second. First degree murder is done with malice (i.e., with intent to kill).

Second-degree murder or voluntary manslaughter refers to murder done without thought in the heat of the moment, or in some states after [adequate provocation](#).

Third-degree murder, also known as involuntary manslaughter, occurs without the specific intent to kill, but usually after an act of criminal negligence or some other act resulting in a person's death. This would in some cases include a death

caused by drunk driving or someone dying as the result of an assault in which case the perpetrator didn't have the intent to kill.

Match the English terms with their Russian equivalents and go to Watching Activity 2 to check your exercise.

Russian equivalents	English terms
1 уменьшенная, ограниченная вменяемость	A murder in the first degree
2 преднамеренное убийство в состоянии аффекта	B felony
3 смертный приговор	C third-degree murder or involuntary manslaughter
4 умышленное убийство	D negligent homicide
5 окончательный приговор	E mandatory sentence
6 убийство по небрежности	F be charged with
7 принудительный, обязательный	G mitigating circumstances
8 оправданное лишение человека жизни	H second-degree murder or voluntary manslaughter
9 смягчающие обстоятельства	I common law jurisdictions
10 нормы общего права	J diminished responsibility
11 тяжкое убийство первой степени	K sentence of death
12 непредумышленное убийство	L premeditated murder
13 быть обвиненным в	M justifiable homicide
14 тяжкое преступление (фелония)	N mandatory
15 убийство совершенное в процессе фелонии	O felony murder

Answers:

1-j, 2-h, 3-k, 4-l, 5-e, 6-d, 7-n, 8-m, 9-g, 10-l, 11-a, 12-c, 13-f, 14-b, 15-o

Reading 2

Legal language

To learn more legal language and to enlarge your topical vocabulary read the following text.



1. Language in legal settings is characterized by highly technical vocabulary and colloquial terms used in specialized ways. It is also plagued with lengthy noun phrases, heavy use of passive voice, multiple negatives, and complex grammatical structures, including multiple embedded clauses and unusually placed subordinate clauses. Take, for example, an excerpt from the instructions delivered to jurors by Judge Lance Ito in the O. J. Simpson **criminal trial**, held in Los Angeles in 1995:

Reasonable doubt is defined as follows: *It is not mere possible doubt, because everything relating to human affairs is open to some possible or imaginary doubt. It is that state of the case which, after the entire comparison and consideration of all the evidence, leaves the mind of the jurors in that condition that they cannot say they feel an abiding conviction of the truth of the charge.*

2. The lack of comprehensible language in jury instructions can have dire consequences. In the early 1990s, a **convicted murderer** argued in U.S. federal court that his death sentence should be **overturned** on the grounds that the jury instructions were so incomprehensible that the law could not have been effectively communicated to the **jurors**.

3. Proposals for reforming jury instructions abound. Bethany K. Dumas suggests using paraphrase, examples, and brief narratives to clarify difficult legal concepts such as *reasonable doubt* and *proximate cause*. Ian Langford proposes replacing the established definitions of terms such as *murder*, *manslaughter*, and *homicide* with simpler definitions based on a method of analysis that represents meaning through a limited set of basic words and a simple grammar. New instructions for California's **criminal courts** are in the works. The movement to adopt plain legal language has had some success in the drafting of new laws, where recommendations include greater use of the active voice, personal pronouns, and reduced relative clauses.

A case for linguists as expert witnesses

4. Misunderstandings in the courtroom can result not only from imprecise interpretation, cultural differences, or unintelligible legal language, but also from linguistic naiveté in the courtroom and the absence of a forensic linguist who has the expertise to analyze language-related evidence and explain it to the court. Consider this case: A man who spoke English with a Haitian Creole accent was sentenced to prison for 12 years for allegedly having sold three tenths of a gram of crack cocaine to an **undercover police officer**. The only hard piece of evidence presented at the trial was a taped recording of a telephone conversation between the **undercover officer** and the drug dealer. Had a linguist, preferably a phonetician, listened to both the voice on the tape and samples of the **defendant's** voice (i.e., conducted a voice comparison), he/she could have told the jury with absolute certitude that the voices belonged to two different speakers.

5. Such was the conclusion made by Robert Rodman, who was consulted during **the appeal**. Based on auditory perceptual analysis, Rodman determined that the speaker on the taped recording spoke a commonly heard variety of African-American English, easily differentiated from Haitian-Creole-accented English. Without the expert opinion of a trained linguist, the prosecutor in the original trial was able to convince the jury that **the suspect** could speak English without an accent whenever he chose to. In fact, the research shows that speakers with a foreign accent cannot speak with less of an accent or change the sound of the accent they normally speak with, except to accentuate it. In addition, the suspect had learned English late in life (age 18), past the critical age for learning a foreign language without retaining an accent.

Courtroom discourse

6. In contrast to legal language reform's focus on comprehensibility, analyses of courtroom discourse tend to focus on the interaction between specific linguistic features and their socio-interaction functions. For example, grammatical omission of the agent is frequently used in cases of sexual assault or rape, where it serves to take the focus off the accused rapist. Sandra Harris, in her discourse analysis of three high-profile court cases--O. J. Simpson, Louise Woodward, and the bombing of the Oklahoma federal building--found that open-ended wh- questions (who, where, when, etc.) elicited narrative from a witness, whereas yes/no questions tended to limit the amount and type of information that could be offered by a witness.

7. Greg Matoesian analyzed transcripts of audio-video recordings from another famous **trial**, the 1991 William Kennedy Smith rape trial, and concluded that lawyers employed the grammar and prosody of reported speech to essentially discredit a witness's **testimony**. Another indirect

strategy used to influence juries is metaphor. In "If it doesn't fit, you must acquit," Janet Cotterill examines the effect of metaphors (including those of the jigsaw puzzle, sport, and war) in defense attorney Johnny Cochran's closing arguments.

8. Coercive questioning techniques resulting from the use of specific linguistic features have been the focus of much courtroom discourse analysis; yes/no questions and tag questions are considered to be among the most coercive. These analyses, however, are based primarily on English-speaking participants and Western societies. The picture changes with different cultural settings and the use of different languages.

Match the statements and the paragraphs they refer to.

- a. You can ruin the reputation of a witness by rendering the events with the intonation and grammar of reported speech.
- b. Traditional legal language is difficult to understand for a layman because of very complex syntax, legal terms and passive constructions.
- c. The analysis of speech of trial participants may vary in different languages and cultures.
- d. One convict appealed to the court to overturn the sentence because the judge's instructions had not been clear to the jurors.
- e. You can get more information from a witness if you use WH-questions rather than yes/no or tag questions.
- f. It's almost impossible to hide the intonation and pronunciation of your mother tongue if you learned a foreign language when you are an adult.
- g. One man was convicted wrongly because the judge, being linguistically incompetent, misinterpreted his voice as that belonging to a criminal and used it as the main proof to send the man to prison.
- h. Innovations in the use of legal language include the use of active voice, limited set of basic words, personal pronouns, short clauses.

Answers:

- 1- b, 2-d, 3-h, 4-g, 5- f, 6-e, 7- a, 8-c.

JURY

After practicing the activities offered in this part you will know the legislative basis and the scope of rights of the American jury system

- ***Your first step is The Bill of Rights. Before you get acquainted with its content, search for general information under the link and be ready to fill in the gaps in the definition of the Bill of Rights.***

[The Bill of rights - Wikipedia, the free encyclopedia.html](#)

A **bill of rights** is a statement of certain _____ which, under a society's laws, _____ and/or _____ either have, *want* to have, or *ought* to have. In some _____, the bill of rights is entrenched in the _____ of that nation-state. When embedded in the constitution, it can prescribe the limits of power the _____ has to intervene in the lives of its citizens.

Key:

1. rights
2. citizens
3. residents
4. jurisdictions
5. constitution
6. government

Now listen to the Bill of Rights. While Listening, pay special attention to the Amendments that touch the issue of jury system and mark their numbers.

[The Bill of Rights.mp3](#)

- Amendment 1
- Amendment 2
- Amendment 3
- Amendment 4
- Amendment 5
- Amendment 6
- Amendment 7 ✓
- Amendment 8
- Amendment 9
- Amendment 10

✓

✓



▪ ***Listen to the Bill of Rights once again and put the Russian equivalents of the Amendments into right order:***

- Во всяком уголовном преследовании обвиняемый имеет право на скорый и публичный суд беспристрастных присяжных того штата и округа, ранее установленного законом, где было совершено преступление; обвиняемый имеет право быть осведомленным о сущности и основаниях обвинения, он имеет право на очную ставку со свидетелями, показывающими против него, право на принудительный вызов свидетелей со своей стороны и на помощь адвоката для своей защиты.
- Конгресс не должен издавать ни одного закона, относящегося к установлению религии или запрещающего свободное исповедание оной, либо ограничивающего свободу слова или печати, либо право народа мирно собираться и обращаться к правительству с петициями об удовлетворении жалоб.
- Не должны требоваться чрезмерные залоги или налагаться чрезмерные штрафы, либо назначаться жестокие или необычные наказания.
- Ни один солдат не должен в мирное, равно как и военное, время размещаться на постой в доме без согласия владельца; однако в военное время это допускается, но лишь в порядке, предусмотренном законом.
- Никто не должен привлекаться к ответственности за караемое смертью или иным образом позорящее преступление, иначе как по представлению или обвинительному заключению Большого жюри, за исключением дел, возбуждаемых в сухопутных или военно-морских силах, либо в милиции, когда она призвана на действительную службу во время войны или на период опасного для общества положения; никто не должен за одно и то же правонарушение дважды подвергаться угрозе лишения жизни или нарушения телесной неприкосновенности; никто не должен принуждаться в уголовном деле быть свидетелем против самого себя; никто не может быть лишен жизни, свободы или собственности без надлежащей правовой процедуры; частная собственность не должна изыматься для общественного пользования без справедливого возмещения.
- Перечисление в Конституции определенных прав не должно толковаться как отрицание или умаление других прав, сохраняемых народами.
- По всем гражданским делам, основанным на общем праве, в которых оспариваемая цена иска превышает 20 долларов, сохраняется право на суд присяжных; но ни один факт, рассмотренный присяжными, не может быть пересмотрен каким-либо судом Соединенных Штатов иначе, как в соответствии с нормами общего права.
- Полномочия, которые не делегированы Соединенным Штатам настоящей Конституцией и пользование которыми не запрещено ею отдельным штатам, сохраняются соответственно за штатами, либо за народом.
- Поскольку хорошо организованная милиция необходима для безопасности свободного государства, право народа хранить и носить оружие не должно нарушаться.
- Право народа на охрану личности, жилища, бумаг и имущества от необоснованных обысков и арестов не должно нарушаться. Ни один ордер



не должен выдаваться иначе, как при наличии достаточного основания, подтвержденного присягай или тождественным заявлением; при этом ордер должен содержать подробное описание места, подлежащего обыску, лиц или предметов, подлежащих аресту.

Key: 1-6, 2-1, 3-8, 4-3, 5-5, 6-9, 7-7, 8-10, 9-2, 10-4

To learn more about the Bill of Rights in different countries you can visit the following links

- [Bill of Rights 1689 - Wikipedia, the free encyclopedia.htm](#)
- [Canadian Charter of Rights and Freedoms - Wikipedia, the free encyclopedia.htm](#)
- [Charter of Fundamental Rights of the European Union - Wikipedia, the free encyclopedia.htm](#)
- [Declaration of the Rights of Man and of the Citizen - Wikipedia, the free encyclopedia.htm](#)
- [Claim of Right - Wikipedia, the free encyclopedia.htm](#)
- [European Convention on Human Rights - Wikipedia, the free encyclopedia.htm](#)
- [Universal Declaration of Human Rights - Wikipedia, the free encyclopedia.htm](#)



- **Why the essence of jury was so important that the founders of the Bill of Rights mentioned it in the legislative document providing the basis for the Constitution? Read the text “Trial by Jury” to find the explanations on the gist and origin of the term. After reading the text say whether the following sentences are right or wrong?**



▪ **[Trial by Jury Bill of Rights.doc](#)**

1. The jury was an essential safeguard of liberty long before the French Revolution. **False**
2. The freedom of American jurors to vote according to conscience can be traced to Penn’s case. **True**
3. Jurors in early America knew that a criminal law was unjust, but they couldn’t and shouldn’t refuse to enforce it. **False**
4. Thomas Jefferson considered trial by jury as the only anchor ever yet imagined by man, by which a government can be held to the principles of its constitution. **True**
5. The purpose of trial by jury, as the Supreme Court itself has noted, is to prevent "oppression by the government. **True**

6. But even at the end of the 19th century the jury pool couldn't include working-class men, blacks, and women. **False**

To perform their role, jurors must act independently and conscientiously, and they must be prepared to "just say no" if they believe that a conviction would be unjust.

True

- *So what is a jury and what are the main requirements for serving on a jury? After reading an overview of the jury system you will get acquainted with the origin, history and procedure of jury trial. Read the text and check your knowledge answering the questions. [Jury Overview.doc](#)*

Jury Quiz

1. How are the jurors selected?
 - according to their will
 - due to their education
 - at random
1. What is the number of jurors that take part in deciding the verdict?
 - it must be a specified size of 12 people
 - it is often but not always 12
 - 14 or even more together with alternate jurors
2. Serving on a jury is normally....
 - voluntarily
 - compulsory
 - optional
3. The jury must be _____ in deciding the verdict?
 - impersonal
 - impatient
 - impartial
4. What are the differences between the roles of the jury and the judge?
 - jury decides the verdict and the judge interprets and gives instructions on the case
 - jury hears the cases of defense and prosecution and the judge makes a summing-up
 - the judge has the main role and jury assists him/her
5. What is jury nullification?
 - it's non-jury trial

- it's the case when jury may find the defendant "not guilty" even though he/she violated the law if the jury thinks that the law is invalid or unjust
 - it's trial with less than 12 jurors
6. What are the differences of jury system in the US and most of the EU countries?
- the size of the jury
 - the responsibilities of the jury
 - the role of the jury
7. There is a number of theories on the jury origin. Tick the ones mentioned in the text
- Ancient Greece
 - Ancient Rome
 - Ancient Byzantium
 - England
 - Ancient Judea
 - Normandy
 - Ancient China

Trial by Jury

by Clay S. Conrad*

Bill of Rights Day is a good time to take a step back from the controversies of the moment to ask ourselves why the Framers of the Constitution thought trial by jury was essential to preserving freedom. Although trial by jury is a fundamental American right, most of us have never made an effort to understand why that right was written into our Constitution - and why this trial procedure is so rarely found in other countries.

The jury was an essential safeguard of liberty long before the American Revolution. British courts guaranteed the independence of criminal trial juries in 1670, in a case concerning four jurors who had acquitted William Penn for illegally preaching about his Quaker beliefs. Those jurors were imprisoned for their "not guilty" verdict because they had ignored the trial judge's

* *Clay S. Conrad is the author of [Jury Nullification: The Evolution of a Doctrine](#), just published by Carolina Academic Press and the Cato Institute.*

Omsk State University Twelve Angry Men

instructions to vote for Penn's conviction. An English appellate court released the jurors from prison, establishing the principle that juries cannot be punished for bringing in the "wrong" verdict. The freedom of American jurors to vote according to conscience can be traced to that landmark precedent.

Early American jurors frequently refused to enforce the acts of Parliament in order to protect the rights of individuals. In 1735 a New York jury acquitted John Peter Zenger of seditious libel for publishing criticisms of a colonial governor, believing that Zenger had a right to print the truth. That jury had to ignore the instructions of the trial judge because it had been instructed that truth was no defense to the charge of seditious libel. We can thank independent juries for helping to establish freedom of the press on American soil.

Jurors in early America knew that if a criminal law was unjust, they could - and should - refuse to enforce it. They could vote their conscience, and as free citizens they were expected to do so. Thomas Jefferson wrote, "I consider trial by jury as the only anchor ever yet imagined by man, by which a government can be held to the principles of its constitution." John Adams said, "It is not only [the juror's] right, but his duty . . . to find the verdict according to his own best understanding, judgment, and conscience, though in direct opposition to the direction of the court."

The purpose of trial by jury, as the Supreme Court itself has noted, is to prevent "oppression by the government." To perform that role, jurors must act independently and conscientiously, and they must be prepared to "just say no" if they believe that a conviction would be unjust.

Non-cooperation with injustice was a social imperative that had led, in part, to the American Revolution. Jurors in early 19th-century America routinely refused to enforce the Alien and Sedition Act, just as jurors in mid-19th-century America widely rejected the Fugitive Slave Act and juries in early 20th-century America refused to enforce Prohibition. But toward the end of the 19th century, as the jury pool widened to include working-class men, blacks, and women, courts began to restrict the role of juries. That coincided with a change in attitudes about government in general. The idea emerged that juries had been an important check against King George III, but that their role must now adapt in light of our democratic law-making procedures. Our all-wise government could not allow citizen juries to retain a veto over laws that were enacted for the "public good."

In 1895 the Supreme Court held that trial courts were not required to inform jurors of their power to refuse to convict, or to convict on lesser charges, if they believed a conviction on the facts

proven at trial would be unjust. In the years since, American courts have misinterpreted that ruling as a blanket prohibition on informing jurors of their discretionary prerogative to "check" unjust laws.

The result has been that juries have been restrained from exercising their veto. Today, jurors sometimes leave courtrooms in tears after convicting people they believed were morally (if not legally) innocent - or after witnessing the harsh sentences handed down by judges at the sentencing phase of seemingly minor cases. That is exactly the sort of travesty trial by jury was intended to prevent. If the law were just and justly applied, jurors would have no reason to regret their verdicts, or the sentences that are meted out later by judges.

The purpose of trial by jury, as the Supreme Court itself has noted, is to prevent "oppression by the government." To perform that role, jurors must act independently and conscientiously, and they must be prepared to "just say no" if they believe that a conviction would be unjust. Nothing else satisfies the purpose of trial by jury, or provides the protection to liberty that the Founders intended to provide in our Bill of Rights

Bill of rights

From Wikipedia, the free encyclopedia.

Jump to: [navigation](#), [search](#)

A **bill of rights** is a statement of certain rights which, under a society's laws, citizens and/or residents either have, *want* to have, or *ought* to have.

In some jurisdictions, the bill of rights is entrenched in the constitution or Basic Law of that nation-state. When embedded in the constitution, it can prescribe the limits of power the government has to intervene in the lives of its citizens. Usually such entrenched bills of rights have codicils that define the extent of limitation of rights in times of war or civil unrest.

In other jurisdictions, the definition of rights may be statutory (In other words, it may be repealed just like any other law and does not necessarily hold greater weight than other laws).

Not all jurisdictions enforce the protection of the rights articulated in their bill of rights.

A 'bill of rights' may also be an aspirational statement of the rights that citizens *ought* to have even though the defining body does not have the ability to enforce the protection of those rights.

The United Nations's (UN) Universal Declaration of Human Rights is currently an example, though this may be perceived as a controversial example depending on one's opinion of the UN's current ability to effectively enforce its decision.

Infringement of rights protected by a bill of rights (such as by repeal of statutory protections or by statutory infringement of constitutionally protected rights) may cause civil unrest, or even revolution. A common concern of libertarians is the gradual erosion of rights, especially those articulated in bills of rights. This concern is heightened during times of war or crises when certain rights may be perceived by some as a luxury compared to security concerns.

[\[edit\]](#)

Important bills of rights

- [Magna Carta](#) (1215; England)
- [Bill of Rights 1689](#) (England)
- [Virginia Bill of Rights](#) (June 1776)

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- Preamble to the [United States Declaration of Independence](#) (July 1776)
 - [United States Bill of Rights](#) (Completed on Sept 17th 1787, ratified in 1789)
 - [Declaration of the Rights of Man and of the Citizen](#) (1789; France)
 - [Universal Declaration of Human Rights](#) (1948)
 - [European Convention on Human Rights](#) (1950)
 - [Fundamental Rights of Indian citizens](#) (1950)
 - [Canadian Bill of Rights](#) (1960)
 - [Canadian Charter of Rights and Freedoms](#) (1982)
 - [Charter of Fundamental Rights of the European Union](#) (2000)
-
- [Natural rights](#)
 - [Civil rights](#)
 - [Inalienable rights](#)
 - [Human rights](#)

TWELVE ANGRY MEN

Author: Svetlana Maksimova
Saratov State Law Academy

Dear students, before watching the EPISODE 1 of the film I'd like you to read and memorize new words and word combination:

bored-sounding – говорить что-либо скучным голосом
wearily – утомленно, устало
murder in the first degree – убийство первой степени
admonish – наставлять, делать внушение
charge of pre-meditated murder – обвинение в преднамеренном убийстве
a mandatory death sentence – обязательный смертный приговор
fancy – фантазия, воображение
life is at stake – жизнь поставлена на карту
reasonable doubt – разумные\обоснованные сомнения
in good conscience – с чистой совестью
recommendation for mercy – прошение о помиловании
a grave responsibility – серьезная ответственность
despondent – упавший духом
slum boy – мальчик из трущоб

EPISODE 1

THE JUDGE'S INSTRUCTION

As you've seen the EPISODE 1 I'd like you to do the following task:

1. Would you please look through the statements given below attentively and choose the right one:

The jury were:

a) all-female; b) all-male; c) all-blacks.

The judge:

a) forced the jury to find the accused guilty; b) wearily instructed the jury; c) explained the jury their duties.

The committed crime:

a) was not serious; b) was serious enough to be imprisoned; c) was considered as disorderly conduct.

Long and complex case listened by jury was of murder:

a) in the third degree; b) in the second degree; c) in the first degree.

The murder in the first degree leads to:

a) life-imprisonment; b) social services c) a mandatory death sentence.

Who was the victim of such a serious crime:

a) a mother of the accused; b) a stranger; c) a father of the accused.

Who was the accused:

a) a habitual criminal; b) a killer; c) 18 years old slum boy.

The judge admonished the jury:

a) in a special jury room; b) privately; c) in a courtroom in the presence of the accused.

The accused was charged in:

a) manslaughter; b) pre-meditated murder.

The accused looked:

a) despondent oppressed and scared b) self-satisfied with confidence.

2. As you've chosen the best variants, please make up the plan of the EPISODE 1 and be ready to give your own interpretation of this part of the film.

3. Retell this episode as if you were:

a) the judge; b) the jury; c) the accused

EPISODE 2

THE START OF JURY DELIBERATIONS

Before watching the **EPISODE 2** of the film I'd like you to know that none of the jurors are named, and they don't formally introduce themselves to each other. Jurors are labeled with numbers based on their jury numbers and seats at a conference table in the jury room (in clock-wise order).

The Twelve Jurors:

A summary of the anonymous characters helps you to flesh out their characters and backgrounds. The order in which each eventually decides to vote "not guilty" is given in brackets:

Juror #1 (The Foreman): A high-school assistant head coach, doggedly concerned to keep the proceedings formal and maintain authority; easily frustrated and sensitive when someone objects to his control; inadequate for the job as foreman, not a natural leader and over-shadowed by Juror # 8's natural leadership [9]

Juror #2: A wimpy, balding bank clerk/teller, easily persuaded, meek, hesitant, goes along with the majority, eagerly offers cough drops to other men during tense times of argument [5]

Juror #3: Runs a messenger service (the "Beck and Call" Company), a bullying, rude and husky man, extremely biased, completely intolerant, forceful and loud-mouthed, temperamental and vengeful; estrangement from his own teenaged son causes him to be hateful toward all young people (and the defendant); arrogant, quick-angered, quick-to-convict, and defiant until the very end [12]

Juror #4: Well-educated, smug and conceited, well-dressed stockbroker, presumably wealthy; studious, methodical, possesses an incredible recall and grasp of the facts of the case; common-sensical, dispassionate, cool-headed and rational, yet stuffy and prim; often displays a stern glare; treats the case like a puzzle to be deductively solved rather than as a case that may send the defendant to death; claims that he never sweats [10 - tie]

Juror #5: Naive, insecure, frightened,; has a slum-dwelling upbringing that the case resurrects in his mind; a guilty vote would distance him from his past. [3]

Juror #6: A typical "working man," dull-witted, experiences difficulty in making up his own mind, a follower; probably a manual laborer or painter; respectful of older juror and willing to back up his words with fists [6]

Juror #7: Clownish, impatient salesman, a flashy dresser, gum-chewing, obsessed baseball fan who wants to leave as soon as possible to attend evening game; throws wadded up paper balls at the fan; uses baseball metaphors and references throughout all his statements (he tells the foreman to "stay in there and pitch"); lacks complete human concern for the defendant and for the immigrant juror; extroverted; keeps up amusing banter; votes with the majority [7]

Juror #8: An architect, needs a thoughtful reconsideration of the case against the accused; symbolically clad in white; a liberal-minded, patient truth-and-justice seeker who uses soft-spoken, calm logical reasoning; balanced, decent, courageous, well-spoken and concerned; [1]

Juror #9: Eldest man in group, white-haired, thin, retiring and resigned to death but has a resurgence of life during deliberations; soft-spoken but perceptive, fair-minded [2]

Juror #10: A garage owner, who simmers with anger, bitterness, racist bigotry; nasty, repellent, intolerant, reactionary and accusative; segregates the world into 'us' and 'them'; needs the support of others to reinforce his manic rants [10 - tie]

Juror #11: A watchmaker, speaks with a heavy accent, of German-European descent, a recent refugee and immigrant; expresses reverence and respect for American democracy, its system of justice, and the infallibility of the Law [4]

Juror #12: Well-dressed, smooth-talking business ad man with thick black glasses; doodles cereal box slogan and packaging ideas for "Rice Pops"; superficial, easily-swayed, and easy-going; vacillating, lacks deep convictions or belief system; uses advertising talk at one point: "run this idea up the flagpole and see if anybody salutes it" [8]

1. As you've understood there are too many outlined unknown words characterizing each person and I'd like you to translate them into Russian. Use the dictionary.

Let's name the part we'll watch **Vote of 11 to 1.**

A PAUSE

Saratov State Law Academy Twelve Angry Men

2. As you've watched the part *Vote of 11 to 1* of the EPISODE 2 please mark the true statements with T and false ones with F:

The foreman presents two alternatives: should they discuss things first and then vote, or "take a preliminary vote" immediately to "see who's where"?

The former alternative is chosen, and the jury discusses things first before voting.

Their verdict "guilty" was unanimous.

Juror # 10 shakes his head, clearly disbelieving and upset by the lone dissenter (бунтарь).

Juror # 8 votes not guilty, not because he is sure of the boy's innocence, but because he wishes to talk about the serious case without emotionally pre-judging the eighteen-year old boy.

3. Listen to jury conversations once again and then try to define who pronounced the phrases given below:

1. The kid's a dangerous killer, you could see it...He stabbed his own father, four inches into the chest. They proved it a dozen different ways in court, would you like me to list them for ya

2. I don't necessarily believe the boy's story, but I feel that the accused is entitled to a thoughtful weighing of the facts – the legal standard that they were given by the judge:

3. It's not easy to raise my hand and send a boy off to die without talking about it first...We're talking about somebody's life here. We can't decide in five minutes. Supposin' we're wrong.

4. You couldn't change my mind if you talked for a hundred years.

5. Look, this kid's been kicked around all of his life. You know, born in a slum. Mother dead since he was nine. He lived for a year and a half in an orphanage when his father was serving a jail term for forgery. That's not a very happy beginning. He's a wild, angry kid, and that's all he's ever been. And you know why, because he's been hit on the head by somebody once a day, every day. He's had a pretty miserable eighteen years. I just think we owe him a few words, that's all.

6. I don't mind telling you this, mister. We don't owe him a thing. He got a fair trial, didn't he? What do you think that trial cost? He's lucky he got it. You know what I mean? Now look, we're all grown-ups in here. We heard the facts, didn't we? You're not gonna tell me that we're supposed to believe this kid, knowing what he is. Listen, I've lived among them all my life. You can't believe a word they say. You know that. I mean, they're born liars.

4. Please try to explain why the title **Vote of 11 to 1** is more appropriate.

5. Give the definitions of the words: deliberation, dispute and quarrel

6. Which one would you use characterizing jury behavior we've seen and conversations we've listened to in jury room? Give your opinion.

TWELVE ANGRY MEN

Author: Natalia Konoplyuk
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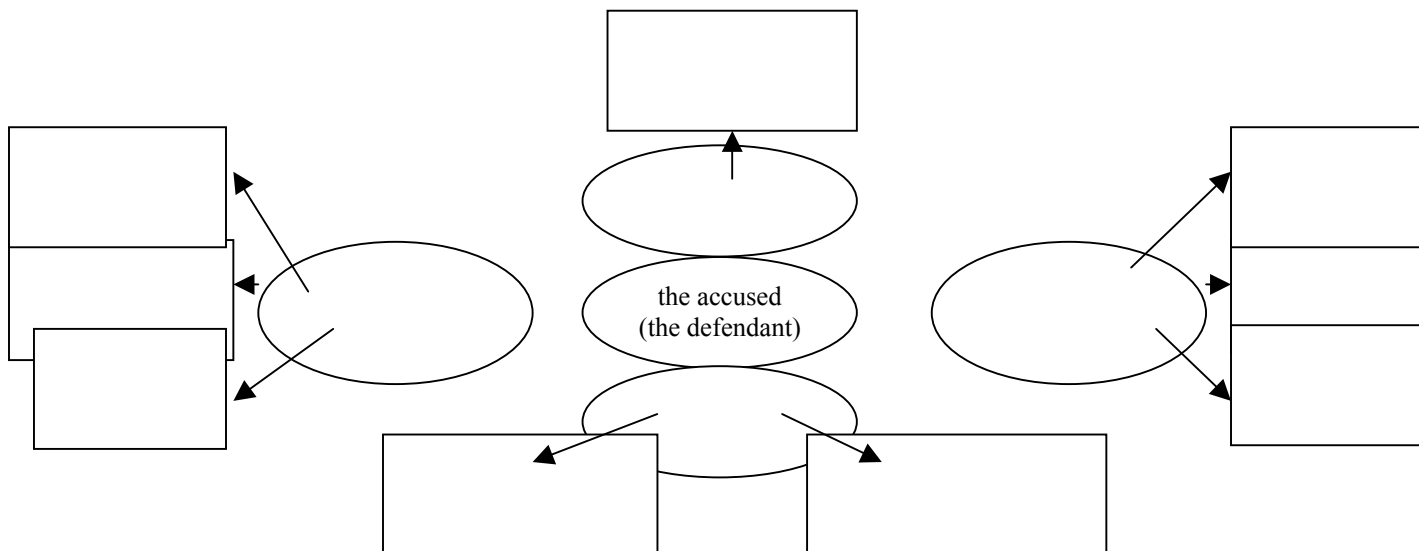
SECTION 1. From the very beginning to the proposal, speak in turns in order to convince Juror #8. (0:00 – 0:14)

1. Pre-Viewing Stage

1.1. The title of the film is 12 Angry Men. What are your ideas about the content? Who are these men? Why? Why are they angry? Discuss it first with your partner and then report the results of your discussion to other students.

1.2. The great deal of the discussion developing in the film you are going to watch is closely related to the US Legal System. What do you know about it?

a) Fill in the following bubble chart representing the people participating in the court trial and their functions.



b) Now read the passage and explain the meanings of the words in bolds. Then arrange the episodes of the trial in the correct order.

In court, the person charged with the **crime** (now called the defendant or accused) must try to **prove** that they did not **commit the crime**; in other words prove that they are **innocent**. The jury listens to all the **evidence** and **testimonies** and then makes its decision. The procedure at a trial is as follows:

- A. The defending counsel makes a closing speech to the jury saying why they should acquit the accused.
- B. The defending counsel tries to find fault with the witness(es)'s testimonies (cross-examines them).
- C. The defense counsel makes a speech saying why the accused is innocent, or at least why the prosecution cannot prove the guilt of the accused.
- D. The judge passes sentence or sets the accused free.
- E. The jury makes their decision and pass their verdict.
- F. The procedure is reversed: now the defending counsel puts a witness in the stand.

Togliatti Academy of Management Twelve Angry Men

- G. The prosecuting attorney makes a speech saying why the jury should find the accused guilty.
- H. The prosecuting counsel makes a speech saying why the accused is guilty.
- I. The prosecuting counsel puts his or her witness(es) in the witness stand and gets them to testify (tell the court what they know) (examines them).

c) *With your partner try to answer the following questions to see how much you know about the work the jury do both in the USA and Russia.*

1. Who can serve on a jury?
2. How are the jurors chosen for a particular trial?
3. What is the main function of the jury in the court trial?
4. What is the official name of the jury's decision?
5. How do they vote?
6. Should their decision always be unanimous?
7. What is the difference between a sentence and a verdict?

d) *Now read the following extract from SCREENING AMERICA/ 12 ANGRY MEN² and check your answers.*

The U.S. Constitution guarantees that any citizen accused of a crime has a right to a jury trial. A jury is a group of ordinary citizens, usually **12** of them, who are chosen at random to decide the outcome—the verdict—of a trial. The practice of deciding a trial by jury dates back to the fourteenth century, and the earliest settlers of the original 13 colonies brought this legal custom to America with them.

In fact, the founders felt the jury was so important that they described this right further in the first ten amendments to the Constitution, which are known as the Bill of Rights. *The Bill of Rights gave defendants the right to be informed of the charges against them; the right to a public trial in the district in which the crime occurred; the right to question witnesses who testify against them; and the right to call witnesses to testify in their defense. Criminal defendants had these rights in 1787 and they still have them today.*

Defendants are always considered innocent until proven guilty, and the burden of proof is on the government. Prosecutors know that the evidence must be strong enough to convince a group of ordinary citizens, not experts. The defendant does not have to prove his or her innocence, but the government must prove the defendant's guilt, also, in most federal and state cases, it must convince all **12** jurors of its version of the facts. This requirement that jury verdicts be unanimous dates back to the adoption of the Constitution.

To return a verdict of guilty, a jury must be convinced of the accused's guilt "beyond a reasonable doubt." A reasonable doubt is "a doubt for which a reason can be given.... A doubt is reasonable if it is based on the evidence or lack of evidence in the case. It is unreasonable if it is based on some guess or whim or speculation unrelated to the evidence in the case, or if it is based on sympathy for the defendant or on a desire to avoid a disagreeable duty." However, jurors are never asked to explain their votes. As long as a juror believes his doubt is reasonable, he will fulfill his civic duty by voting not guilty.

² The full version of the text is available at <http://www.movingimage.us/site/education/content/guides/12%20Angry%20Men%20SM.PDF>

The Constitution also guarantees the right to an impartial jury. To ensure fairness in general, jury service is required of American citizens—for hundreds of years, the government has called citizens to jury duty. To prevent the government from choosing only people who would take its side, potential jurors are called at random. To ensure fairness in a particular case, the prosecutor, defense attorney, and judge question potential jurors before the trial. This selection process is called “voir dire.” Citizens may be rejected if they have a personal relationship with anyone involved in the case, or if, for some other reason revealed during questioning, they are unable to judge it fairly. Voir dire also entitles both sides to a limited number of peremptory challenges, which means that they may object to a juror without giving a reason.

2. *While-Viewing Stage*

2.1. Pay attention to the manner of the judge when instructing the jury on its duties. Which of the words below can be used to describe him? What does his manner say about his opinion of the case in question?

**bored lazy alert instructive confident enthusiastic passive
frustrated dull anxious disinterested arrogant intolerant
rough grave perfunctory**

2.2. You see a lingering, silent close-up of the accused boy. What can you say about him? Make notes concerning

- his possible ethnicity _____,
- _____,
- his feelings at the moment _____.

2.3. Make notes about the situations when the following remarks are made and about the people who make them.

- a. ‘I’ve never been on a jury before.’
- b. ‘I almost fell asleep.’
- c. ‘Even if it’s an open and shut case like this one.’
- d. ‘It’ll save a lot of time and money.’
- e. ‘We were lucky to get **the** murder case.’
- f. ‘Hot weather colds can kill you.’

g. 'I didn't mean to keep you waiting.'

2.4. Watch the episode and tick the sentence you hear.

1. **Juror #1 (Forman):** a) You might handle this thing any way that you want.
b) You may handle this thing any way that you want.
2. **Juror #1 (Forman):** a) I mean to make any rules.
b) I don't mean to make any rules.
3. **Juror #1 (Forman):** a) We can, well, discuss it first and then vote on it.
b) We can, well, discuss it first and then vote it.
4. **Juror #4:** a) I think it's customary to make a preliminary vote.
b) I think it's customary to take a preliminary vote.
5. **Juror #1 (Forman):** a) And if we vote the accused guilty we've got to send him to the chair.
b) And if we vote the accused guilty we've got to send him to the chair.
6. **Juror #1 (Forman):** a) That's have to be twelve to nothing...
b) That had to be twelve to nothing...

2.5. Fill in the number of the juror saying the following.

- 1) **Juror #** ___ 'What shall we do next?'
- 2) **Juror #** ___ 'He stabbed his own father.'
- 3) **Juror #** ___ 'We can't decide a man's life in five minutes.'
- 4) **Juror #** ___ 'Lived in an orphanage when his father was serving a jail term for forgery.'
- 5) **Juror #** ___ 'That's not a very happy beginning.'
- 6) **Juror #** ___ 'We don't owe him a thing.'
- 7) **Juror #** ___ 'They're born liars.'
- 8) **Juror #** ___ 'I haven't given it much thought but...'

2.6. Listen to the boy's background as rendered by Juror #8 paying attention to the usage of the following words and expression. Then sum up his life story.

to be kicked around, a slum, dead, an orphanage, to serve a jail term

3. Post-Viewing Stage

3.1. Read the concluding speech of the judge addressing the jury and fill the gaps with the words given below.

a) accused b) case c) doubt d) guilt e) guilty f) facts g) sentence h) testimony i) verdict j) unanimous

"You've listened to a long and complex case of murder in the first degree. Premeditated murder is one of the most serious charges in our courts.

"You've listened to the 1) _____, you've had the law read to you and interpreted as it applies to this 2) _____. It's now your duty to sit down and try to separate the 3) _____ from the fancy. One man is dead. Another man's life is at stake. "If there is a reasonable 4) _____ in your minds as to the 5) _____ of the accused—a reasonable doubt—then you must bring me a 6) _____ of not guilty. If, however, there's no reasonable doubt, then you must in good conscience find the 7) _____ guilty. However you decide, your verdict must be 8) _____. In the event you find the accused 9) _____, the bench will not entertain a recommendation for mercy. The death 10) _____ is mandatory in this case. You are faced with a grave responsibility. Thank you, gentlemen."

3.2. The boy's father is said to have served a jail term for *forgery*. What kind of crime is that? Can you match the following crimes on the left with the correct definitions on the right?

- | | | |
|-------------------------|----|--|
| 1. burglary | A. | stealing from shops while acting as an ordinary customer |
| 2. cyberstalking | B. | stealing things from people's pockets in crowded places |
| 3. kidnapping | C. | breaking into houses or other buildings to steal |
| 4. mugging | D. | taking away people by force and demanding money for their return |
| 5. pickpocketing | E. | stealing something |
| 6. robbery | F. | sending harassing or threatening E-mail to other users |
| 7. shoplifting | G. | stealing money etc. by force from people or place |
| 8. smuggling | H. | attacking and robbing people, often in the street |
| 9. theft | I. | bringing goods into a country illegally without paying |

3.2. **DEBATE PHRASES**

In the course of the film you'll hear a lot of expressions used in the procedure of a discussion. Look at the following phrases, try to recall the situations in which they were used.

- ✓ Can I have your attention?
- ✓ That has to be 12 to nothing.
- ✓ All those voting guilty, please, raise your hands.
- ✓ Now we know where we are.
- ✓ I haven't given it much thought but it seems to me that ...
- ✓ It's up to the group of us to convince this gentleman.

3.3. **SPEAKING.**

Juror #8 is the only one who votes not guilty. In small groups dwell on the following questions and then share the results of your discussion with other students.

- a) Why does he vote not guilty? What are his possible motives?
- b) Is it easy to stand alone against the opinion of the majority? Why? Have you ever experienced it? If no, think of a situation where you have to resist the opinion of the others and work out the most appropriate strategy of behavior in such a case.
- c) Juror #8 plays a sort of a trick on his comrades. He calls for a vote and says he will abstain. If the other eleven voted guilty he would not stand in the way of a conviction. The old man votes not guilty so that more discussion takes place. What are the possible risks of such a venture. Would you have taken this risk if you were in his place? Explain.

HOME ASSIGNMENT

The film was shot by Sidney Lumet in 1957. Find information about that period. What was life like in the 1950s in your country? What can you say about the state of the American society in 1957? What social processes were typical of that time? Get ready to speak on the topic.

SECTION 2. From the words of Juror #2 "It's hard to put it into words" to Forman's words "I think we'll take a break" (0:14-0:32)

1. Pre-Viewing Stage

1.1. *Put each of the following words in its correct place in the passages below.*

- a) witnesses b) trial c) sentence d) prosecution e) jury f) defense g) testimonies h) judge j) crime k) accused

Anyone accused of a serious (1).....has the right to a (2)by (3), a group of men and women (usually twelve) chosen by chance. A (4) lawyer tries to convince the court that the (5)is guilty. A (6)lawyer sets out to prove the defendant's innocence. (7)tell the court what they know about the crime. After listening to all the (8)and evidence the jury must decide whether the prosecution has proved guilt. The (9)helps the jury understand the laws relating to the trial and passed a (10)if there is a guilty verdict.

1.2. Match the words and their definitions.

1. falsely-accused	A. a knife whose blade is hidden inside the handle and comes out very quickly when you push a button on the handle
2. court	B. a mark that you leave on something when you touch it, showing the pattern of lines on the skin of your fingers
3. trial	C. a place where trials take place and legal cases are decided,
4. prosecution	D. accused by mistake
5. defendant	E. accused person
6. criminal	F. an object that can be used to hurt people or damage property, for example a gun, knife, or bomb
7. premeditated	G. facts, statements, or objects that help to prove whether someone has committed a crime
8. switchblade	H. legal parties representing the government and laws
9. evidence	I. planned ahead of time
10. witness	J. questions a lawyer asks opposing party and his/her witnesses
11. weapon	K. someone who has committed crimes
12. fingerprints	L. someone who sees a crime, accident, or other event happen
13. cross examination	M. the formal expression of a choice between two or more issues, people etc
14. vote	N. the process of examining a case in a court of law and deciding whether someone is guilty or innocent
15. ballot	O. the process of voting secretly to choose a candidate in an election or express an opinion about an issue

1.3. Make up collocations using the words in focus.

falsely-accused
to appear in

a vote
ballot

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trial	court
to be in	criminal
a witness for	cross examination
hardened	evidence
premeditated	fingerprints
switchblade	for one's life
circumstantial	knife
murder	murder
to wipe off	of murder
to conduct	the prosecution
to call for	trial
by a secret written	weapon

1.4. SPEAKING

Talk on the state of American society in the 1950s.

2. While-Viewing Stage

2.1. Put the following statements in the order they appear in the film.

- A. ____ 'I started being convinced very early in the case.' (**Juror #6**)
- B. ____ 'It may be two too many.' (**Juror #4**)
- C. ____ 'It's hard to put into words.' (**Juror # 2**)
- D. ____ 'Nobody proved otherwise.' (**Juror # 2**)
- E. ____ 'She's one of them, isn't she?' (**Juror #8**)
- F. ____ 'The boy's entire story is flimsy.' (**Juror #3**)
- G. ____ 'The burden of proof's on the government.' (**Juror #8**)
- H. ____ 'You're a pretty smart fella, aren't you?' (**Juror #10**)

2.2. While the jurors speak about the boy's past (his 'record') fill in the numbers denoting the boy's age they mention and crimes he has been involved in.

Juror #7: 'Look at his record. At ____ he was at children's court. Threw a rocket at a teacher. At ____ he was in a reform school. He _____. He's been arrested for _____. There took place a _____. They say he's really handy with a knife. He's a very *fine* boy!'

Juror #8: 'Ever since he was ____ years old his father beat him up regularly with his fists.'

Juror #7: 'So would I! A kid like that!'

2.3. Watch and read the dialogue, then answer the questions.

Juror #8: Those two witnesses were the entire case for the prosecution. Supposing they're wrong?

Juror #12: What do you mean, supposing they're wrong? What's the point of having witnesses at all?

Juror #8: Could they be wrong? They are only people. People can make mistakes. Could they be wrong?

Juror #12: Well no, I don't think so.

Juror #8: Do you 'know' so?

Juror #12: Come on. Nobody can know something like that. This isn't an exact science.

Juror #8: That's right, it isn't.

Questions:

- 1) Why is Juror #8 displeased with the work the boy's lawyer did?
- 2) Why does he insist upon the possibility that the witnessed for the case might be wrong?
- 3) Why does he agree with his opponent saying 'That's right, it isn't'?

2.4. The jurors run through the facts known about the boy's actions on the day of the murder.

Watch and take notes of the events of that day.

time	events
8.00	
8.45	
9.45	
about 10.00	
The boy's version:	
11.30	
3.10 (15.10)	
The state's version:	
12.10 (00.10)	

2.5. Which of these words are **not** used by **Juror #9** when explaining his motives to vote 'not guilty'?

alone, sure, know, ridicule, support, help, respect, believe, hear

3. Post-Viewing Stage

3.1. Correct the mistakes in the following summary of the facts mentioned by the jurors.

The testimony of the old man living upstairs above the room where the killing took place. At 10.12 he heard a noise like that of a fight. As the boy yelled "I'll kill you!" he called the police. When the old man ran to the door he suddenly heard the body hit the floor. Having opened his flat door the old man saw the boy running upstairs. On their arrival the police found the boy's father shot dead in his flat. The coroner fixed the time of death at around midday.

The testimony of the lady living in the house opposite the place of murder. That evening she was fast asleep but was woken up by the noisy train passing by. She looked out of the window and right across the street through the windows of the passing bus saw the kid shoot his father. Having known him all his life she could easily recognize him.

3.2. Jurors #2, 3, 4, 7 and 10 appear to be biased against the boy. Each of them has his own reason to consider him guilty. Arrange the following word combinations into the columns according to the person who used them and then sum up their ideas.

arrested for mugging
a reform school
born liars
called my father 'sir'
can't believe a word
got a fair trial
to have a motive
had a fight

hit me in a jaw
knife fighting
potential menaces for the society
slapped on the face
slums are the good ground for criminals
was at children's court

Juror #2	Juror #3	Juror #4	Juror #7	Juror #10

3.3. Read the words of **Juror #8** addressing his colleagues and fill in each gap with one word.

Juror #8: ‘I have a _____ to make for all of you. I’ll call for a _____. I want you 11 _____ to vote by secret written ballot and if there are 11 _____ voted we’ll take the guilty vote to the judge right _____. But if there’s _____ vote ‘not guilty’ we’ll _____ in and talk it out.’

3.4. DEBATE PHRASES

Arrange the words into phrases used by the jurors in the episode you have watched. Then use them in the situations of your own.

- ✓ say who’s something got to?
- ✓ have let’s job do, do to we it a.
- ✓ words hard it’s to it into put.
- ✓ you I’m with.
- ✓ the missing I we’re think here point.
- ✓ the stop argument let’s.
- ✓ we’re time wasting only.

3.5. From the very beginning the Forman (Juror #1) tries to keep the proceedings formal and maintain authority.

a) In a small group discuss if his efforts can be considered successful using the following expressions.

- adequate/inadequate for the job
- a natural leader
- to over-shadow
- leadership
- to maintain authority
- to be preoccupied with proper process

b) Brainstorm the idea of a natural leader and personal traits that allow a person to take the command of the situation. Are these features inborn or self-taught?

c) Imagine yourself being in the shoes of the Forman. Act out the episode of the argument first in the way it was presented in the film and then work out a more successful strategy to keep control over the situation.

3.6. IMPROVISATION: Mock debate Juvenile Crime.

In groups of 5 take turns speaking on behalf of one of the jurors mentioned above (Juror #2, 3, 4, 7 or 10) expressing their point of view on the problem of youth violence while other students try to find counter arguments to oppose your position.

HOME ASSIGNMENT

The fact that the jurors mentioned above are prejudiced against the boy influences theirs judgment greatly. All kinds of prejudice are usually rather strong in human society. Make a survey to study the prejudices existing among the students and write an essay **Prejudice in Our Life**. Consider the

following possible attitudes: towards foreigners, representatives of minority ethnic groups, people of different religious beliefs, the rich and the poor, representatives of opposite sex

SECTION 3. From Forman’s words “I think we’ll take a break” to the picture of 11 jurors after the fight between Juror #8 and Juror #2 (0:32-0:57)

1. Pre-Viewing Stage

1.1. Match the synonyms.

- | | |
|-------------|--------------|
| to suppose | to recognize |
| exact | to gain |
| evidence | to seek |
| to get | to assume |
| to identify | bright |
| to yell | accurate |
| to look for | testimony |
| clever | to shout |

1.2. a) In pairs try to recall as much as possible about the events of the day of the murder from the film. List the events in the order they happened that day.

b) Arrange the words below into five columns.

- After
- Afterwards
- As
- As soon as
- At the very moment
- Before
- In the meantime
- Just as
- Once
- Previously
- Prior to
- Then
- Till then
- While

One thing before another	Things happening at the same time	One thing after another	Time when	Connecting two periods or events

c) *Connect the sentences in the boy's version of the events using the words from the previous exercise.*

The boy had a fight with his father. The old man heard him yell 'I'll kill you!' The boy left the house. He went directly to a neighborhood junkshop to buy a switch knife. He met some friends of his. They talked for an hour. He went home, left for the movies. He returned home, found his father murdered. He was arrested by the police.

2. While-Viewing Stage

2.1. *Watch and then complete the following abridged version of the conversation between the jurors.*

Act it out with a partner.

Juror #3: 'You, down there. The old man who lived down stairs says he heard the boy yell 'I'll kill you!' A second later he heard the body hit the floor. He ran to the door and saw the kid running down stairs and out of the house. What does it mean to you?'

Juror #8: _____

Someone: 'Lady who lives right opposite the street. She looked right out of the window and saw the boy stab his father. (...) She saw him through the window of the passing train.'

Juror #8: _____

.....

Juror #3: 'You're talking about a matter of seconds. Nobody can be that accurate.'

Juror #8: _____

Juror #3: 'Why should he lie? What's he got to gain?'

Juror #9: _____

2.2. *Watch and read the conversation and then answer the question below.*

Juror #8: There's something else I'd like to talk about for a minute. I think we've proven that the old man couldn't have heard the boy say "I'm going to kill you," but supposing...

Juror #10: You didn't prove it at all. What're you talking about?

Juror #8: But supposing he really did hear it. This phrase, how many times has each of us used it? Probably hundreds. "I could kill you for that, darling." "If you do that once more, junior, I'm going to kill you." "Come on, Rocky, get in there and kill him!" We say it every day. It doesn't mean we're going to kill someone.

Juror #3: Wait a minute. What are you trying to give us here? The phrase was "I'm going to kill you," and he screamed it out at the top of his lungs! Don't tell me he didn't mean it. Anybody says a thing like that the way he said it, they mean it.

Question:

Juror #2 and Juror #8 contradict him using different arguments. What are they?

Juror #2 _____

Juror #8 _____

2.3. **Juror #8** enumerates several of the possible reasons why the boy's lawyer didn't like the case he had to work on and consequently didn't do his best to save his client. Write them down.

1) _____

2) _____

3) _____

2.3. Juror #11 asks the others several questions pointing out some discrepancies in the case discussed. Watch the episode and then try to recall the answers given by his opponents. **Question:** If he [the boy] really had killed his father why would he come back home 3 hours later?

Answer:

Question: If he was afraid that the knife could be identified as the one he had just bought why did he leave it in the first place?

Answer:

Question: The boy must have heard the lady's scream. Why did he go back home to be arrested?

Answer:

2.4. a) Watch and read the following conversation. Then explain the meaning of the highlighted expressions.

Juror #8: I think this is what happened: the old man had heard the fight between the boy and his father a few hours earlier. Then, while lying in bed, he heard a body hit the floor in the boy's apartment, and he heard the woman scream from across the street. He got up, he tried to get to the door, heard someone racing down the stairs and *assumed* it was the boy.

Juror #3: Assumed? Brother, I've seen all kinds of dishonesty in my day, but this little display **takes the cake**. Y'all come in here with your hearts bleedin' all over the floor about slum kids and injustice, you listen to some fairy tales, suddenly you start gettin' through to some of these old ladies... well, you're not **getting through to** me, I've had enough! WHAT'S THE MATTER WITH YOU GUYS? You all know he's guilty. He's got to burn! You're letting him **slip through our fingers**.

Juror #8: Slip through our fingers? Are you his executioner?

Juror #3: I'm one of 'em!

Juror #8: Maybe you'd like to pull the switch?

Juror #3: For this kid? You bet I would!

Juror #8: I feel sorry for you...

Juror #3: Don't **start with** me...

Juror #8: What it must feel like to want to kill someone yourself!

Juror #3: Listen, you shut up!

Juror #8: [*baiting him*] Ever since we walked into this room, you've been behaving like a self-appointed public avenger!

Juror #3: I'm tellin' you now! Shut up!

Juror #8: You want to see this boy die because you personally want it, not because of the facts!

Juror #3: Shut up!

Juror #8: You're a sadist!

Juror #3: Shut up!

[*He lunges wildly at Eight, who holds his ground. Several jurors hold Three back*]

Juror #3: Let me go! I'll kill him! I'LL KILL HIM!

Juror #8: You don't *really* mean you'll kill me, do you?

b) Find a synonym for each of the highlighted expressions.

c) Use the expressions in the situations of your own.

3. Post-Viewing Stage

3.1. Use the correct forms of the verbs in brackets paying attention to the form of the infinitive in conditional clauses.

- 1) If the boy really had killed his father he wouldn't _____ (come) back home 3 hours later.
- 2) If he were afraid that the knife could be identified as the one he had just bought he wouldn't _____ (leave) it in the place of murder.
- 3) If he were in the state of panic he wouldn't _____ (think) of wiping off all fingerprints from the knife.
- 4) Since the boy must have heard the lady's scream I just don't think he would _____ (go) back to find himself arrested by the police.
- 5) Maybe he [the lawyer] didn't bring it up because it would _____ (mean) bullying and badgering a helpless old man.
- 6) Unless the old man hadn't heard the fight between the boy and his father a few hours earlier he wouldn't _____ (assume) the boy was the murderer.
- 7) The boy would hardly _____ (yell) 'I'll kill you' unless he really meant it.
- 8) If the boy had really been to the movies he would _____ (remember) the names of the actors starring in the film.
- 9) If Juror #8 didn't call Juror #3 a public avenger and sadist the latter wouldn't _____ (try) to attack him.

3.2. Read the extract from a conversation in the bathroom between Jurors #6 and #8.

Juror #6: You think he's not guilty?

Juror #8: I don't know. It's possible.

Juror #6: I bet you've never been wronger in your life. You're wasting your time.

Juror #8: Supposing you we on trial?

Juror #6: Well, I'm not used to supposin'. I'm just a workin' man. My boss does all the supposin' - but I'll try one. Supposin' you talk us all out of this and, uh, the kid really did knife his father?

Why doesn't Juror #8 answer him?

3.3. The film brings up a number of problems associated with the responsibilities of the sides participating in the trial. With your partner study the list of statements below and agree or disagree with them giving your arguments.

- ✓ Nearly everything in the course of the trial depends on the ability of lawyers.
- ✓ People feel inconvenienced by jury duty and vote just to cut it short and get back to their lives.
- ✓ It is impossible for twelve strangers to agree on anything.
- ✓ A person's decisions have nothing to do with his or her own experiences.
- ✓ It is embarrassing to change your mind in front of others.
- ✓ The truth can almost never be known for sure.

3.4. Game YES BUT...

Study the task for your group and follow your teacher's instructions.

Group A: *your initial idea is that the justice system as it shown in the film is hit-or-miss.*

Group B: *your initial idea is that the presumption of innocence (that is, the belief that a defendant is innocent until proven guilty) secured in the Constitution of the USA promises defendants a fair trial.*

SECTION 4. From the words of Juror #11 “This fighting...” to the words of Juror #3 “I have. Now sit down and don’t open your mouth again” (0:57-1:16)

1. Pre-Viewing Stage

1.1. The word ‘democracy’ is one of the fundamental principles of the American society. In a small group brainstorm the ideas it imply and share your vision of a democratic society with other students.

1.2. a) Look at the title of the passage below and try to explain its meaning.

b) Read the passage from SCREENING AMERICA/ 12 ANGRY MEN³ and tick the statements below it as true or false.

THE REPRESENTATIVE JURY

In 1940 the Supreme Court noted, “It is part of the established tradition in the use of juries as instruments of public justice that the jury be a body truly representative of the community.” Our definition of who represents the community has changed over time, and the composition of juries has changed as well. The Supreme Court ruled against state laws excluding blacks from juries as early as 1880, but it did not begin to require the inclusion of blacks until 1935. In 1940 the Court ruled, “For racial discrimination to result in the exclusion from jury service of otherwise qualified groups not only violates our Constitution... but is at war with the basic concepts of a democratic society and a representative government.” In 1954 the Court decided that the Constitution does not allow the exclusion of “any substantial racial group” that is present in the community. It took much longer for the Court to decide that women belong on a representative jury, which explains, in part, why there are no women in *12 Angry Men*. As late as 1961, the Court upheld a Florida law that made jury duty by women voluntary—if a woman wanted to serve as a juror, she had to ask. It also agreed with 17 other states that allowed women to excuse themselves from service. The Court

³ Available at <http://www.movingimage.us/site/education/content/guides/12%20Angry%20Men%20SM.PDF>

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finally reversed itself in 1975, when it ruled that exempting women from jury duty would deprive defendants of a fair cross section of the community. As of 1979, the Court has allowed women to exempt themselves only if they are responsible for small children.

true	false	statement
		1. According to the Constitution of the USA the jury must picture the society.
		2. No great changes have occurred in the composition of the jury since the beginning of the 20 th century.
		3. The blacks have been represented in the US juries since 1888.
		4. Racial and sex discriminations in the juries were abolished at nearly the same time.
		5. In the 1960s women were not admitted into the juries.
		6. According to the most recent law women responsible for small children have a right to excuse themselves from jury service.

c) Explain the meanings of the highlighted words and use them in the sentences of your own.

2. While-Viewing Stage

2.1. Answer the questions.

1. What makes **Juror #11** pronounce his speech in defense of democracy? What does it say about him and his beliefs?
2. Why does **Juror #10** say that he is sick and tired of facts?
3. How does **Juror #2** explain the fact that he has changed his vote?
4. The weather of the trial day (nearly unbearable heat followed by thunderclap and rain) acquires in the film certain symbolic meaning. Can you interpret it? Why do you think the authors of the film chose this particular scene for thunderstorm to be heard in the room? How does it correspond with the events taking place there?
5. What can you say about the way **Juror #7** entertains himself during the brief pause in the discussion? What does it reveal about his personality?
6. At the water tank **Juror #3** tries to justify his sudden outbreak of rage towards **Juror #8**. Why do you think he has chosen **Juror #4** for this explanation? Does he manage to achieve his aim in this conversation? Why?
7. Why did **Juror #4** first insist that the police testimony right after the murder when the boy had been unable to recall anything about the movie was more trustworthy? Why did **Juror #8** disagree with him?

2.2. Watch and mark the statements as true (T) or false (F).

<ol style="list-style-type: none"> 1. The boy was taller than his father. 2. All the jurors know how a switch blade is handled. 3. Juror #7 wishes to change his vote for not guilty. 4. Other jurors welcome his decision. 5. In fact Juror #7 just wished to stop the argument and get free. 6. Juror #4 was the only person who shared the opinion of Juror #10 about people living in the slums. 	
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2.3. Listen to the monologue of Juror #10 and fill in the gaps in the following sentences.

1. I don't understand you people! I mean all these picky little points you keep _____.
2. Look, you know how these people lie! It's _____ them!
3. And, lemme tell you, they don't need any real big reason to kill someone, _____!
4. Oh, nobody's _____ it.
5. Look, these people're lushing it up and fighting all the time and if somebody _____, so somebody gets killed! They _____!
6. I've known a couple who were OK, but that's the _____, y'know what I mean?
7. What's goin' on here? I'm trying to tell you we're makin' a _____, you people!
8. Listen to me! They're _____! There's not a one of 'em who's any good!
9. There's a _____ here! These people are wild!

3. Post-Viewing Stage

3.1. In the course of the film, various individual aspects of human nature are exhibited in the jurors.

a) Look at the list of adjectives below and discuss their meanings in pairs. Then group them as positive and negative traits explaining the reasons of your choice. Mind that some traits can be regarded as both positive and negative depending on the situation.

- | | | |
|---------------|-------------|----------|
| dull-witted | cool-headed | prim |
| biased | rational | mEEK |
| dispassionate | stuffy | hesitant |

b) Paraphrase the following sentences using the expressions in brackets.

1. It was clear that the judged was not inclined to treat the slum boy justly. (to have a bias against sth/sb)
2. I'm afraid, you're mistaken. (to be in the wrong)
3. Neither side wished to stop the argument because both believed they were right. (to back down)
4. He is brave enough to speak against the opinions he disagrees with. (to counter a point of view)
5. Being a follower he seldom has an opinion of his own sticking to those shared by most of the people around him. (to go along with the majority)
6. Once he got it into his head it's not easy to persuade him out of it. (to change one's mind)
7. He is not a person you can easily ignore. He must be treated seriously. (to make light of sth/sb)

3.2. Which of the Jurors do you think these descriptions suit best of all?

- a) a typical "working man," dull-witted, experiences difficulty in making up his own mind, a follower;
- b) biased because of the game;
- c) changes his mind three times;

- d) constantly cracks jokes and made light of the situation;
- e) dispassionate, cool-headed and rational, yet stuffy and prim;
- f) concerned to keep the proceedings formal and maintain authority;
- g) easily persuaded, meek, hesitant, goes along with the majority;
- h) give(s) simplistic comments on the case;
- i) has a bias against kids due to his own relationship with his son;
- j) has a bias on the neighborhood but keeps his bias less obvious;
- k) has a slum-dwelling upbringing that the case resurrects in his mind;
- l) knows he is in the wrong and for this very reason he refuses to back down;
- m) nearly always able to counter the points of view of the others;
- n) no interest in being on the jury at all;
- o) the first to see and respect the architect's need to talk it through more thoroughly;
- p) thinks that the boy is guilty because he is just like the rest of the people in the "slums".

3.3. *Choose one of the jurors, discuss him with your partner and then introduce him as a personality paying attention to his background and personal traits and the way they influence his behavior during the discussion.*

3.4. *Make up and act out a dialogue between the juror you chose in the previous exercise and a friend of his discussing his experience as a juror.*

3.5. DEBATE PHRASES.

a) *Explain the meaning of the following phrases.*

- ✓ I think we should take an open ballot
- ✓ Anyone objects?
- ✓ That's OK with me.
- ✓ Don't tell me that.
- ✓ I don't think it has anything to do with the case.
- ✓ Who's got something constructive to say?
- ✓ I think the point is made.

b) *Group the phrases below according to the themes: **Voting; Expressing Agreement/Disagreement; Maintaining Order; Making Suggestions; Expressing Opinions; Supposing.***

All those voting guilty, please, raise your hands.
Be quiet.
Can I have your attention?
Does anyone object?
Don't tell me that
Have you thought about
I can see where you are coming from, but...
I can see where you are coming from.
I don't buy that.
I don't think it has anything to do with the case.
I have a proposition to make.

I haven't given it much thought but it seems to me that ...
I think that's dead right.
I think that's nonsense.
I think the point is made.
I think we should take an open ballot
I think we're missing the point here.
I want you to vote by secret written ballot.
I'll call for a vote.
I'm with you.
If I were you I'd
It makes sense to me.
It's hard to put it into words

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Let's assume that ...
Let's get down to business.
Let's stop the argument.
Let's take our seats.
One way would be
Perhaps you could
Quite right too !
Supposing...
That is so true.
That's have to be 12 to nothing.

That's OK with me.
The vote is 9 to 3 in favor of guilty.
We have a job to do, let's do it.
We're only wasting time.
Who's got something constructive to say?
Who's got something to say?
Why don't you
Why not
You could always

c) Complete the phrases.

Voting

All t_____ v_____ g_____, p_____, r_____ your h_____.

I t_____ we s_____ t_____ an o_____ b_____.

I c_____ f_____ a v_____.

The v_____ is 9 to 3 in f_____ of g_____.

Expressing Agreement/disagreement

D_____ a_____ o_____?

Don't t_____ me t_____.

I don't think it h_____ a_____ to d_____ w_____ the c_____.

I'm w_____ y_____.

That's OK w_____ m_____.

I can s_____ w_____ you are c_____ f_____.

It m_____ s_____ to me.

I t_____ that's d_____ r_____.

I don't b_____ t_____.

I t_____ that's n_____.

Maintaining Order

C_____ I h_____ y_____ a_____?

Let's g_____ d_____ to b_____.

We're only w_____ t_____.

Who's got s_____ g c_____ to s_____?

Making Suggestions

I h_____ a p_____ to m_____.

Expressing Opinions

I think we're m_____ g the p_____ h_____.

It's h_____ to p_____ it into w_____.

Supposing

Let's a_____ t_____ ...

S_____ ...

3.6. a) Read the passage

Among the problems brought up in *12 Angry Men* the biggest is, of course, the problem of racial prejudice - directed against "people from the slums", who are, same as jurors themselves, anonymous for the viewers. Because of such prejudices, many jurors were ready to make their fatal decision before they were really examining the evidence. The microcosm of the jury room could be perceived as metaphor for the American society in 1950s and the struggle of the lone Juror #8, whose background is intellectual, could be seen as a metaphor for the struggle for civil rights of American ethnic minorities.

b) In groups of three or four act out an argument between those who share the views of Juror #10 and those of the opposite opinion concerning the ethnic minorities. Mind that each time you start speaking you should use one of the phrases below.

Agreement

Quite right too!

I can see where you are coming from.

It makes sense to me.

That is so true.

I think that's dead right.

I'm with you.

That's OK with me.

Disagreement

I can see where you are coming from, but...

I don't buy that.

I think that's nonsense.

Don't tell me that

I don't think it has anything to do with the case.

HOME ASSIGNMENT

Using any sources, find information about jury service in Russia and get ready with a presentation on one of the following aspects:

History of jury service in Russia;

Russian law about jury service;

Differences and similarities between Russian and American juries.

1. Pre-Viewing Stage

1.1. Read the following summary of the film and correct the errors in the text.

The plot of this film is based on the play by Reginald Rose, who had been allegedly inspired by his own experiences as juror. The movie begins one cold winter day in New York courthouse. A teenager has just been tried for the murder of his father, and the prosecutor sends the jury to deliberate about his guilt or innocence, warning them that the guilty verdict brings mandatory imprisonment penalty. When jurors enter the room, things are looking very well for the defendant - jury members are eager to pronounce him innocent as soon as possible. The only exception is **Juror #8** (played by Henry Fonda), who votes "guilty" only because he thinks that the decision on someone's life and death should be made after careful examination of the documents. The rest of the jury is enthusiastic about such dissent, and **Juror #8** doesn't have to convince them to review the case. As a result, reasonable doubt about boy's guilt emerges and more lawyers are ready to vote "not guilty", while, on the other hand, some jurors are becoming quite passionate about sending defendant to the electric chair.

1.2. In the previous episode Juror #10 came in conflict with Juror #11. Recall their social background and explain the nature of the conflict. Act out the argument between the two of them.

1.3. SPEAKING

Make a presentation on the jury service in Russia and the USA.

2. While-Viewing Stage

2.1. Watch and fill in the gaps.

Juror #8: It's always difficult to keep personal _____ out of a thing like this. And _____ you run into it, prejudice always obscures the truth. I don't really know what the _____ is and I suppose, no one will ever really know. Nine of us now seem to feel that the _____ is innocent, but we're just gambling on probabilities. We may be wrong. We may _____ to let a guilty man go free. I don't know. No one really can. But we have a _____ doubt, and that's something that's very valuable in our system. No jury can declare a man guilty unless it's _____. We nine can't understand how you three are still so sure. Maybe you can tell us.

2.2. *Arrange the events of the evening when the murder was committed in order as rendered by the lady witness.*

- a) tossed and turned in bed unable to sleep;
- b) looked out;
- c) went to bed;
- d) turned to the window;
- e) had a good look at the boy in the act of stabbing his father.

2.3. *Write down the facts about the lady-witness's appearance as mentioned by Juror # 9.*

3. Post-Viewing Stage

3.1. *Answer the questions.*

1. What made Juror #4 change his mind?
2. What can you say about the role of Juror #9 (old man) plays in the events?
3. What causes the sudden outbreak of emotions of Juror #3?

3.2. *The film ends with the final conversation between Jurors #8 and 9 introducing themselves. Why do you think the authors chose to use no names in the film? Try to interpret it.*

3.3. ROLE PLAY 'What's your verdict?'

You are going to read about a person who have been charged with a crime and found guilty or not guilty. Before you learn the true verdict, you are to decide what you think and also guess what the court's verdict was. Since you are going to act as jurors chose a Foreman and try to keep to the procedure similar to that in the film. Mind to use you DEBATE PHRASES.

Joe, a 15-year-old, broke into his neighbor's house, burgled the house, locked the 80-year-old woman in her bathroom and escaped in her car. At the trial, the defense pleaded not guilty to the charges with the reasons of temporary insanity caused by Joe watching too much television. He watched more than 6 hours a day, loved crime programs and had just watched a film which contained scenes similar to the crime he had committed.

Was Joe GUILTY or NOT GUILTY of burglary and false imprisonment?

3.4. ROLE PLAY 'Round table with the jurors from the film'

Jurors: Choose one of the jurors whose role you are going to play and get ready to speak on his behalf defending your decision.

Journalists: Get ready to ask jurors provocative questions concerning their sensational decision.

TEACHER'S NOTES

General notes

Target students – intermediate and higher

Course – General or Business English

Lesson duration – 90 min

SECTION 1. From the very beginning to the proposal, speak in turns in order to convince Juror #8. (0:00 – 0:14)

Themes: American legal system and jury service.

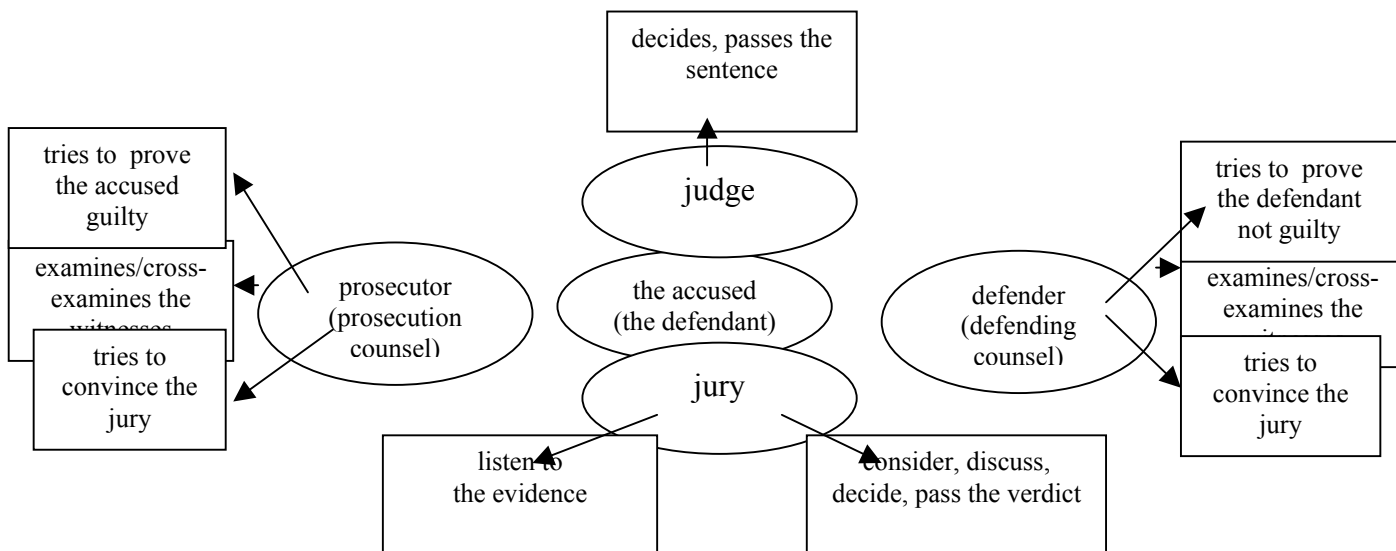
Objectives: 1) vocabulary associated with American legal system;

2) general notion of the US legal system.

Target skills: 1) reading for particular information;
2) speaking: expressing your opinion.

Recommendations and keys

1.2. a) Possible variation of the chart.



b)

- | | | |
|------|------|------|
| 1. H | 4. B | 7. G |
| 2. C | 5. F | 8. E |
| 3. I | 6. A | 9. D |

2.4. 1. b; 2. b; 3. a; 4. b; 5. a; 6. a

2.5. 1) 1; 2) 3; 3) 8; 4) 8; 5) 8; 6) 10; 7) 10; 8) 12

3.1.

“You’ve listened to a long and complex case of murder in the first degree. Premeditated murder is one of the most serious charge trials in our courts.

“You’ve listened to the **testimony**, you’ve had the law read to you and interpreted as it applies to this **case**. It’s now your duty to sit down and try to separate the **facts** from the fancy. One man is dead. Another man’s life is at stake. “If there is a reasonable **doubt** in your minds as to the **guilt** of the accused—a reasonable doubt—then you must bring me a **verdict** of not guilty. If, however, there’s no reasonable doubt, then you must in good conscience find the **accused** guilty. However you decide, your verdict must be **unanimous**. In the event you find the accused **guilty**, the bench will not entertain a recommendation for mercy. The death **sentence** is mandatory in this case. You are faced with a grave responsibility. Thank you, gentlemen.”

3.2.

- | | | |
|------|------|------|
| 1. C | 4. H | 8. I |
| 2. F | 5. B | 9. E |
| 3. D | 6. G | |
| | 7. A | |

3.3. DEBATE PHRASES

This task is the first in the row of the task aimed at developing students' communicative interactive skills. Ask the students to keep a register of such phrases since they will be practiced at later stages.

SECTION 2. From the words of Juror #2 "It's hard to put it into words" to Forman's words "I think we'll take a break" (0:14-0:32)

Themes: Prejudice. Leadership.

Objectives: 1) vocabulary associated with American legal system;

2) discussion techniques.

Target skills: 1) listening for particular information;

2) speaking: using counter arguments, improvisation.

Recommendations and keys

NOTE: The vocabulary exercises in this section are aimed at elimination students' problems in understanding the episode. Though, if time limits require their number might be reduced.

1.1.

- | | | |
|------|------|-------|
| 1. j | 5. k | 9. h |
| 2. b | 6. f | 10. c |
| 3. e | 7. a | |
| 4. d | 8. g | |

1.2. 1. D; 2. C; 3. N; 4. H; 5. E; 6. K; 7. I; 8. A; 9. G; 10. L; 11. F; 12. B; 13. J; 14. M; 15. O.

1.3.

falsely-accused	of murder
to appear in	court
trial	for one's life
to be in	trial
a witness for	the prosecution
hardened	criminal
premeditated	murder
switchblade	knife
circumstantial	evidence
murder	weapon
to wipe off	fingerprints
to conduct	cross examination
to call for	a vote
by a secret written	ballot

2.2.

- | | | |
|-------|-------|-------|
| a. C. | d. F. | g. A. |
| b. D. | e. E. | h. B. |
| c. G. | f. H. | |

2.3.

Juror #7: ‘Look at his record. At 10 he was at children’s court. Threw a rocket at a teacher. At 15 he was in a reform school. He stole a car. He’s been arrested for mugging. There took place a knife fight. They say he’s really handy with a knife. He’s a very *fine* boy!’

Juror #8: ‘Ever since he was 5 years old his father beat him up regularly with his fists.’

Juror #7: ‘So would I! A kid like that!’

2.4.

time	events
8.00	Left the house after being hit (slapped, punched) several times by his father. Went directly to a neighborhood junkshop to buy a switch knife.
8.45	Met some friends of his.
9.45	Talked to them for an hour. They saw the switch knife and later identified it in court.
about 10.00	Arrived home.

The boy’s version:

11.30	Went to a movie.
3.10 (15.10)	Returned home to find his father murdered and himself arrested. The knife had fallen through the hole in his pocket between 11.30 and 3.10.

The state’s version:

12.10 (00.10)	Stayed at home. Had another fight with his father, stabbed him to death, and left the house.
---------------	---

2.5. The juror doesn’t use the words **know, help, believe**.

3.2.

Juror #2	Juror #3	Juror #4	Juror #7	Juror #10
called my father ‘sir’; had a fight; hit me in a jaw;	slums are the good <i>ground for criminals</i> ; potential menaces for the society;	to have a motive; slapped on the face;	was at children’s court; a reform school; arrested for mugging; knife fighting;	got a fair trial; can’t believe a word; born liars;

3.3.

Juror #8: ‘I have a proposition to make for all of you. I’ll call for a vote. I want you 11 men to vote by secret written ballot and if there are 11 guilty voted we’ll take the guilty vote to the judge right now. But if there’s one vote ‘not guilty’ we’ll stay in and talk it out.’

3.4. **DEBATE PHRASES**

- ✓ Who’s got something to say?
- ✓ We have a job to do, let’s do it.
- ✓ It’s hard to put it into words
- ✓ I’m with you.
- ✓ I think we’re missing the point here.
- ✓ Let’s stop the argument.
- ✓ We’re only wasting time.

SECTION 3. From Forman’s words “I think we’ll take a break” to the picture of 11 jurors after the fight between Juror #8 and Juror #2 (0:32-0:57)

Themes: Judicial Mistakes.

Objectives: 1) words denoting time sequence;
2) idioms;
3) infinitive in conditional clauses;

4) discussion techniques.

Target skill: 1) argument-making;

Recommendations and keys

1.2. b)

One thing before another	Things happening at the same time	One thing after another	Time when	Connecting two periods or events
Before Prior to Previously	While As Just as At the very moment	After Then Afterwards	As soon as Once	In the meantime Till then

2.3.

- 1) It could bring him no money, no glory, not even much chance of winning.
- 2) It is not very promising for a young lawyer.
- 3) He obviously didn't believe his client.

3.1.

- 1) If the boy really had killed his father he wouldn't come back home 3 hours later.
- 2) If he were afraid that the knife could be identified as the one he had just bought he wouldn't have left it in the place of murder.
- 3) If he were in the state of panic he wouldn't have thought of wiping off all fingerprints from the knife.
- 4) Since the boy must have heard the lady's scream I just don't think he would have gone back to find himself arrested by the police.
- 5) Maybe he [the lawyer] didn't bring it up because it would've meant bullying and badgering a helpless old man.
- 6) Unless the old man hadn't heard the fight between the boy and his father a few hours earlier he wouldn't have assumed it was the boy was the murderer.
- 7) The boy would hardly yell 'I'll kill you' unless he really meant it.
- 8) Since the boy couldn't produce the switchblade he had bought he said it might have fallen through the hole in his pocket while he was at the movies.
- 9) If the boy had really been to the movies he would have remembered the names of the actors starring in the film.
- 10) If Juror #8 didn't call Juror #3 a public avenger and sadist the latter wouldn't try to attack him.

3.2.; 3.3. These tasks serve as preparatory for the activity 3.4. giving the students some ideas they might use in the game.

3.4. *The purpose of this activity is to stimulate the ability of the students for argumentative defense of their point of view. When organizing the activity follow the scheme below⁴.*

- Split the students in two groups and let them brainstorm their initial idea a few minutes.
- Ask the groups to line up with the first student in each group facing each other and the rest of the students looking at the backs of their group mates.
- Decide which group is to go first (flip a coin, pick a number...).
- If the Group A gets to go first, the first student in the line in that group begins by saying their initial sentence beginning with "Yes, but..."
- After saying their sentence, this student moves to the back of their group's line, and the first student in Group B has to counter Group A's statement, beginning his argument with "Yes but..." When they finish they run to the back of their group.

Keep repeating the process until all the students have had a chance to say a "Yes but..." sentence.

SECTION 4. From the words of Juror #11 “This fighting...” to the words of Juror #3 “I have. Now sit down and don’t open your mouth again” (0:57-1:16)

Theme: Democracy

Objectives: 1) idea of democracy;
2) personal traits;
3) debate phrases.

Target skills: 1) reading;
2) speaking: agreeing/disagreeing.

Recommendations and keys

1.2. b) 1. t; 2. f; 3. f; 4. f; 5. f; 6. t.

2.2. 1. F; 2. F; 3. T; 4. F; 5. T; 6.F

2.3.

1. I don't understand you people! I mean all these picky little points you keep bringing up.
2. Look, you know how these people lie! It's born in them!
3. And, lemme tell you, they don't need any real big reason to kill someone, either!
4. Oh, nobody's blaming them for it.
5. Look, these people're lushing it up and fighting all the time and if somebody gets killed, so somebody gets killed! They don't care!
6. I've known a couple who were OK, but that's the exception, y'know what I mean?
7. What's goin' on here? I'm trying to tell you we're makin' a big mistake, you people!
8. Listen to me! They're no good! There's not a one of 'em who's any good!
9. There's a danger here! These people are wild!

3.2.

⁴ The idea and the scheme of this game were borrowed from the site www.CanTeach.ca where it was originally described as suitable for classed of English as the first language.

Togliatti Academy of Management Twelve Angry Men

a)	Juror #6	g)	Juror #2	o)	Juror
b)	Juror #7	h)	Jurors #12 and 7	#9	
c)	Juror #12	i)	Juror #3	p)	Juror
d)	Juror #12	j)	Juror #4	#10	
e)	Juror #4	k)	Juror #5		
f)	Juror #1	l)	Jurors #3 and 10		
(Forman)		m)	Juror #8		
		n)	Juror #7		

3.5. c) Put the students into to groups and let them try to fill in the blanks. If time have them fill in the blanks at the end of the lesson as a review.

3.6. a) This text is supposed to introduce the topic for further debate.

b) Give each group a set of cards with all the target phrases and encourage them to take them one by one and reply the partner beginning with the phrase from their card.

HOME ASSIGNMENT

Presentations can be either individual or group.

SECTION 5. From the words of Juror #8 “It’s always difficult...” to the end. (1:16 – 1:35)

Themes: Revision.

Objectives: 1) communicative interaction skills;

Target skills: 1) decision making;

2) speaking: improvisations.

Recommendations and keys

1.1.

Plot of this film is based on the play by Reginald Rose, who had been allegedly inspired by his own experiences as a juror. The movie begins one **hot summer** day in New York courthouse. A teenager has just been tried for the murder of his father, and the **judge** sends the jury to deliberate about his guilt or innocence, warning them that the guilty verdict brings mandatory **death** penalty. When jurors enter the room, things **aren't** looking very well for the defendant - jury members are eager to pronounce him **guilty** as soon as possible. The only exception is **Juror #8** (played by Henry Fonda), who votes "**not guilty**" only because he thinks that the decision on someone's life and death should be made after careful examination of the **evidence**. The rest of the jury is **upset** with such dissent, but **Juror #8** **gradually convinces** them to review the case. As a result, reasonable doubt about boy's guilt emerges and more **jurors** are ready to vote "not guilty", while, on the other hand, some jurors are becoming quite passionate about sending defendant to the electric chair.

2.1.

Juror #8: It's always difficult to keep personal prejudice out of a thing like this. And wherever you run into it, prejudice always obscures the truth. I don't really know what the truth is and I suppose, no one will ever really know. Nine of us now seem to feel that the defendant is innocent, but we're just gambling on probabilities. We may be wrong. We may be trying to let a guilty man go free. I don't know. No one really can. But we have a reasonable doubt, and that's something that's very valuable in our system. No jury can declare a man guilty unless it's sure. We nine can't understand how you three are still so sure. Maybe you can tell us.

2.2. 1. c; 2. a; 3. d; 4. b; 5. e.

3.3. ROLE PLAY 'What's your verdict?'⁵

Answer: the court found Joe guilty, standing that there was no evidence that television was responsible for his inability to distinguish between right and wrong.

3.4. ROLE PLAY 'Round table with the jurors from the film'

Devise the group into jurors and journalists.

⁵ The idea of this game and the text for discussion were borrowed from Reward. Upper-Intermediate Resource Pack. S.Kay. Published by Macmillan Publishers Limited.

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INTERNET RESOURCES FOR USING FILM TO TEACH ENGLISH

Compiled by Bridget F. Gersten (ELO Moscow)

The following list of websites was put together, largely, by doing searches on Google (www.google.com). As is the case with all URLs or web addresses, links do not always remain active. For this reason, it is important for teachers and students to review these links from time to time. Ultimately, these searches will lead to even more resources for classroom use.

All of the movies that are the basis for the lesson plans on this CD ROM are classics of American cinema and can usually be readily found. To find resource materials specifically related to the seven movies in this collection, it is simply a question of searching the Internet using choice key words. Because English classrooms for native speakers are known as “Language Arts” classrooms in the United States, you should consider including the key words “Language Arts” in your searches in order to discover further treasures for classroom teaching. These treasures include background information, scripts, lesson plans, film guides, quotes from movies, trivia quizzes, and much, much more.

Many of the educational Internet sites that you find for using film in the classroom require the Adobe Acrobat Reader to read so-called PDF files. The Reader can be downloaded to your computer for free. Visit <http://www.adobe.com/products/acrobat/readstep2.html> for instructions on how to get this great tool. Some sites also require you to create a userid (“User ID=identification”) and password to log in to the site (some sites charge a fee, but many sites give free access after you sign up to use the site).

I hope you enjoy this collection of annotated websites related to using movies in the classroom.

The English Teaching Forum Online: <http://exchanges.state.gov/forum/>. The on-line version of the quarterly journal published by the U.S. Department of State for teachers of English as a foreign or second language. Over 60,000 copies of the magazine are distributed in 100 countries. This site contains articles from issues of the *Forum* dating back to 1993. To find a particular article or issue, click on the year it appeared, or ***search*** by subject, title, or author. For using films in the classroom, search using the terms “movies”, “film”, and related.

Website of the Internet TESL Journal: <http://iteslj.org>. This site has voluminous amounts of material for English teachers. Put the term “film” or “movies” or related into the search box on the right-hand side of the screen and find lots of material for use with movies and films in the ESL/EFL classroom. You may also search according to a key word in a movie title from this project (e.g., “Mockingbird” for the film “To Kill a Mockingbird”). Also has audio files to download to accompany *Voice of America (VOA) Special English* broadcasts related to film and other topics of interest. Wikipedia.org is another good site, but ***beware*** that most of these articles are written by the general public and are not always accurate.

Film Education: <http://www.filmeducation.org>. Provides free, downloadable resource kits on various films to teach in the classroom and ways of using film in the classroom, including lesson plan guides for elementary/primary and secondary school classrooms. You may search these resources according to level of instruction. You need Adobe Acrobat Reader to download these PDF files.

Internet Movie Database: www.imdb.com. This site proclaims itself to be “the biggest, best, most award-winning movie site on the planet” and has sections on Top Movies, Independent Film, the Top 250 Movies, Plot Summaries, Crazy Credits, Goofs (“bloopers”), Trivia, and lots of information on films in general.

Film Blog: Teaching and Learning with Film:

http://jeffreyhill.typepad.com/filmblog/lesson_plans/. This site has downloadable units, exercises, and lesson plans for the ESL/EFL classroom, plus a vast list of additional links that will take you to scripts, articles, and additional teaching ideas. These are submitted by teachers like yourselves. The *scripts* sections will take you to screenplays that can be used with students to act out films in the curriculum or for reference during viewing.

Movies in the Classroom: <http://www.classbrain.com/artmovies/publish/index.shtml>. A very rich site with activities, lesson plans, and other useful classroom aids for use with movies in the classroom. Use the sidebar on the right hand side to click on links to *Language Arts* and *Foreign Languages* for plans easily adaptable to the ESL/EFL classroom.

American Film Institute: <http://www.afi.com/>. This is the official site of the American Film Institute in Washington, DC. You have to pay a membership to have access to all features of the site, BUT free things you can access can be found through links on the right-hand side of the screen, including lists of AFI’s top 100 movies, top 100 laughs, songs, etc, also downloadable for free in PDF format. Includes such useful resources as *AFI’s 100 Years – 100 Quotes* -- <http://www.afi.com/tvevents/100years/quotes.aspx#list>

The English Learner Movie Guides: <http://www.eslnotes.com/synopses.html>. A wealth of “Learner Guides” for classroom use that you can download in PDF, Word, or HTML format. These have been designed especially for the English language learner and have a lot of useful vocabulary resources for individual films. Each includes a summary of the plot, a list of the major characters, an extensive glossary of vocabulary, various cultural references, and questions for ESL class discussion. The movie guides are based on the scripts from the movies so are easy to use for a variety of activities in the ESL/EFL classroom. You can sign up to get e-mail notifications for when new study guides come out on the site. There is also a *Movie Quote of the Week* on the site.

Karin’s ESL Partyland Teaching with Film and Video:

<http://www.eslpartyland.com/teachers/nov/film.htm>. Has a number of creative discussions, lessons, film reviews, handouts, and links to help you use movies to improve English language skills and better understand cultural issues. Also has an interactive forum for movie discussion and sharing ideas about using films in the classroom.

Film Festival: An ESL Lesson Plan to Get Students Talking About Movies and Movie Riddles: An ESL Activity to Get Students Talking About Movies:

<http://bogglesworld.com/lessons/MovieLesson1.htm> and <http://bogglesworld.com/lessons/MovieLesson2.htm>. Two lesson plans with links for worksheets to use in the ESL/EFL classroom.

Dave's ESL Web Guide –Movies and Screenplays:

http://eslcafe.com/search/Movies_and_Screenplays/. Provides links to various sites useful for teaching English through movies. Some of these sites appear in this bibliography.

ESLFLOW.COM – Teaching with Movies:

<http://www.eslflow.com/teachinglanguagewithmovies.html> See the sidebar with links on the right-hand side for dozens of ideas on how to use movies in the ESL/EFL classroom. A good site to find things you can download, especially when teaching about or using movie reviews, working with vocabulary, plots, and games. Has links to various papers and articles about using film in the classroom.

Learning to Give: This site is devoted to the discussion of values in the classroom. This link provides a lesson plan to discuss democratic values based on American films including *Dances with Wolves* and *To Kill a Mockingbird*.

<http://www.learningtogive.org/lessons/unit52/lesson4.html>

Academie de Nancy-Metz:

<http://www.ac-nancy-metz.fr/enseign/anglais/Henry/cine.htm> and <http://www.ac-nancy-metz.fr/enseign/anglais/Henry/cinema.htm#films> and <http://www.ac-nancy-metz.fr/enseign/anglais/Henry/cinema.htm#tea>. This French language site has numerous pages on integrating film into the classroom for the teaching of English. No French needed though there will be a lot more of interest to those who do read French.

Drew's Script-O-Rama: <http://www.script-o-rama.com/snazzy/dircut.html> Excellent source of complete film scripts, even for acting out in class, quizzes related to movies, and TV scripts. Click on “film transcripts” for an alphabetical list of films that you can download. Note that you have to click on links and use your cursor to see the full text and/or cut and paste.

Scripts for You: <http://sfy.ru/>. A Russian site full of movie scripts. It advertises itself as “a famous selected collection of hundreds free movie scripts and screenplays! Fast server, clean design, exclusive updates and no dead links - enjoy it”. Many of these files are in PDF format so you need the Adobe Acrobat Reader to use (see above).

The Internet Movie Script Database: <http://imsdb.com/> This site calls itself “the web's largest movie script resource”. There is also a movie chat here. The site organizes scripts according to genre or title. They are in HTML format. The site also includes readers' reviews of many, many films and a message board for you and your students to join the dialogue. To find scripts, go to the bottom of the page after you click on the movie you want and use that link.

Teaching Global Issues through English Movies:

<http://www.jalt.org/global/30Mov.htm> . A lesson plan by Yasuyo Fukunaga of Ferris University in Yokohama, Japan (1998). Has many ideas on using English language movies to teach values and global issues, including numerous links. Also gives information about *The Association for Teaching English through Movies*.

Web Resources for Feature Films in the ESL Classroom:

<http://www.eslmag.com/modules.php?name=News&file=article&sid=76> . A very useful article by Dr. Christine Meloni available from *ESL Magazine* (www.eslmag.com) about teaching English through movies. Has an extensive list of further links grouped under these headings: Cinema History, Film Lists, Film Databases, Trailers and Sound Clips.

Stereotypes: How Movies Look at Groups of People:

<http://www.ohiou.edu/esl/elective/film/tasks/stereotype.html> . Interesting set of tasks related to ESL/EFL and using film to talk about stereotypes, on the Ohio ESL site of Ohio University. Has a number of articles and ready-to-use activities for the classroom.

Using Film to Develop Learner Motivation: <http://iteslj.org/Articles/Ryan-Films.html>

Plot-O-Matic: <http://www.maddogproductions.com/plotomatic.htm> . A novel site that allows you to fill in the blanks and create your own paragraph-long movie plots! Try it out as the basis for creative writing assignments, drama, or role play in the classroom.

Culture Capsules: <http://www.lclark.edu/~krauss/watanabeauweb/watanabeau.html> . A very innovative and hands-on project developed by Michael Krauss of Lewis and Clark College, Portland, Oregon. This particular link leads you to student projects entitled “Japanese Traditional Movies by Akira Kurosawa”, “Typical Hong Kong Movies”, and “Asian Traditional Action Movies”. A good start for developing projects with your students related to cinema and movies.