

Introduction to Legal Studies

Spring 2007

Discussion Questions for Thursday, March 29th

The Jury as Hero, The Jury as Villain

On Thursday we will discuss the role of the jury in the legal process, both as portrayed in *12 Angry Men* and as studied by Dooley & Lawrence in the articles assigned for today. Please come to class prepared to discuss the questions assigned for Tuesday, as well as the questions below.

1. Juries are considered by some to be an imperfect way of coming to a legal decision. If so, why do we use them? What is the purpose they are intended to serve? What other approach to legal decisionmaking might work better?
2. Are "average" people really in a position to make such important decisions? What evidence from *12 Angry Men* might you use to make an argument for both points of view on this matter?
3. Dooley writes that the jury is seen as both an "angel" and an "irrational" force. Why does the jury receive such opposing reviews? Are certain people more likely to hold to one view of the jury than another?
4. Consider Jerome Frank's article assigned before the break. In it he lays out the "fight" theory and the "truth" theory. The jury is a key part of the "fight" process. But do they exacerbate the flaws in the fight theory? Or do they make it less error prone?
5. As one can see from *12 Angry Men*, the jury has not always included a "cross-section of the community" as one might expect. After reading Lawrence, and considering the movie, why might it be seen as important to have juries with members representing different parts of the community? Would it be better to just draw names out of a hat?