

# Montana 1948 and Twelve Angry Men

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## Discussion on the Theme of Justice in “Twelve Angry Men”

Justice on an individual scale means being fair to other people in one's immediate surroundings, free from prejudice. Being bigoted against a specific group is really unfair to them and one must treat all groups the same while charged with a grave responsibility for justice. Justice present in a functional society, however, should be biased. It should favour people who work the hardest, providing they didn't resort to illegal activities. People who work the hardest tend to have more money, and if they acquired their wealth illegally, they must be punished. If justice overly favours the poor, it encourages them to become lazy. Society will stagnate and the state will eventually become bankrupt from giving too much welfare/social security to the poor because they will not contribute anything to society due to laziness. They will have the incentive to work harder for their own survival in society if they're not pampered by justice, to the benefit of everyone in the community. However, rock-bottom welfare should be provided. One should not drive the poor to desperation because desperate people commit more crimes. Therefore it makes sense to provide for the basic needs of poor people. (Justice is different for everyone, it is about punishment for wrongdoing, abiding the law and one's own beliefs, being guided by truth+logic+reasoning, and getting what one deserves)

- “...separate the facts from the fancy”: Justice is about being fair to the the accused (who is incidentally disadvantaged) and discriminating between truths and lies.
- “We've probably all got things to do”: Justice isn't trivial matter and should be treated seriously.
- “He's had a pretty terrible 16 years. I think maybe we owe him a few words”: Justice should be given to people of all socio-economic statuses, not just the privileged.
- “...they let the kids run wild up here”: Justice should be free from stereotypes and prejudice.
- “...reasonable doubt”: Justice has loopholes such as no proof = no punishment.

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## VCAA Comparative Analysis Study Design

### Key Knowledge

- An understanding of the ideas, issues and themes presented in texts that is enriched by comparison of different perspectives on the topic;
- The features of written and spoken texts used by authors to convey an intended meaning (think about setting, events, characters);
- The features of comparative analysis: structure, conventions, language (relevant metalanguage).

### Key Skills

- Explain + analyse similarities and differences between texts (conceptual and authorial choices);
- Use textual evidence appropriately to support comparative responses;
- Plan and draft comparative responses, taking into account the purpose, context and audience in determining the selected content and approach.

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## The Importance of Justice

- The challenges faced when striving for justice (civic duty and social responsibility)
- The impact of prejudice and bigotry on justice
- The misuse of power and its negative consequences on justice

- Punishments fitting the crime (getting what one deserves)
- Forming judgements about others (prejudice)
- Discrimination between guilt and innocence

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## Summary and Quotations

Summary of Act 1: The storyline of “Twelve Angry Men” commences as a court case against an underprivileged boy from a slum concludes. The 12 jurors were ushered into the jury room and were briefed about the decision making process for the case. They must vote unanimously and if the accused is found guilty, he would be executed by electric chair. As the jury started to settle down, a preliminary vote was held, with the result being 11:1 in favour of guilty. Juror 8, the only juror to vote not guilty, explains that he voted not guilty because he believes that there's sufficient reasonable doubt. Juror 3 is visibly annoyed and disturbed, as he is bigoted against the defendant. He has an estranged son and he wants to make all children pay for their (alleged) misdeeds. Juror 8 feels that the jury needs to talk over the matter before coming to a conclusion, in order to truly deliver justice to the accused. After discussing about the evidence, he decides to hold a secret ballot and if the result is the same as in the preliminary vote, he would also vote guilty. Juror 9 votes not guilty but Juror 3 initially accuses Juror 5 of voting not guilty out of sympathy (he grew up in the slums). More evidence is perused as Jurors 11 and 2 change their vote. Act 1 concludes with Juror 3 lashing out at the rest of the jury because the vote is too close for his liking, as he wants everyone to send the defendant to the electric chair.

- “The boy's got to burn!”: Juror 3's bigotry against children is shining through, impeding justice
- “He's lucky to have a trial. Know what I mean?”: Lampshades lynching, a common practice in working class America (Juror 10 is a garage worker)
- “She's one of them too, isn't she?”: Juror 8 questioning Juror 10's attitude to slum dwellers
- “Want a gum?”: Juror 7 doesn't realise that justice is a serious thing, a waste of his time
- “If we're going to discuss this case, let's discuss the facts”: Justice should be based around facts.
- “It's not easy for me to raise my hand and send a boy off to die without thinking about it first” (No assumptions, treating everyone as equals, responsibility).

Summary of Act 2: Act 2 of “Twelve Angry Men” commences right where Act 1 left off, right after Juror 3's indignant breakdown. The jurors take a short break from deliberating the evidence because the discussion proves to be unproductive, with Jurors 3 and 10 bringing their own feelings/resentments into the case. They discuss declaring a hung jury, knowing the jury that will take over from them would probably still have the same bigotry against the defendant, who will almost certainly be executed. Then, the examination of the defendant's alibi occurred, with the 8th Juror asking the 4th Juror about what he did over the previous days. When he failed to answer accurately, the 8th Juror says it is possible for the accused to forget details of the night, given his emotional trauma. Juror 7 changes his vote just so he can get out of jury duty early, and Juror 11 reprimanded him for his irresponsible use of power. Juror 10 changes the vote just because he is sick and tired of evidence examination. After realising that the woman who supposedly saw the killing has poor vision and isn't wearing glasses, Juror 4 changes his vote. Juror 3 remains as the last juror who votes guilty. After ranting about how the disproved evidence already proves that the boy is guilty, he changes his vote, making the decision unanimous because he realised that he needs to separate his negative feelings towards his own son from feelings towards the defendant.

- “Yes I think he's guilty. But I couldn't care less...Not guilty, do whatever you want”: The 10th juror had enough of analysing evidence rationally and caves in to the majority even though his decision isn't made by himself (irresponsible behaviour when delivering justice).

- “You lousy bunch of bleeding-hearts!”: Accuses the jurors who have voted for acquittal as left-winged/communist, linking to the Red Scare of the McCarthy era.
- “It's not your boy. He's someone else”: Convinces the 3rd Juror to vote “not guilty” by reminding him how personal sentiments shouldn't be brought into the court of justice.
- “If you want to vote not guilty, do it you're convinced the man is not guilty-not because you've had enough”: All personal schedules should be delayed when facing justice, otherwise it is a misuse of power, a moral crime in its own.
- “No I'm convinced... I now have reasonable doubt”: Reasonable doubt dictates justice, although if one's overly concerned about the facts like the 4th Juror, justice gets a whole lot more complex and time-demanding (even if it's the right thing to do).
- “They're against us, they hate us, they want to destroy us... There's a danger.”: Narrow racist/stereotypic views can impede the delivery of justice.

What are some of the challenges faced when striving for justice: Irrational personal sentiments and desires for revenge, present in the 3rd Juror as well as racism and prejudice present in the 10th Juror both delay the delivery of justice, or in case of a murder trial, completely obstruct justice. However, once these “impurities” are confronted by rational arguments and people genuinely striving for justice, the person who holds these impeding views will realise how they aren't being fair, holding to the “fancy” rather than the “facts”. The 3rd Juror needs a little reminder about how “he (the defendant)'s not your boy, he's someone else” in order to enlighten him of his clouded sense of justice and personal attitudes. Justice would then be delivered once the ego (persona) goes away. (Other ideas: Misinterpretation of evidence, judgements clouded by upbringing and personal experiences, low commitment to the case, not carrying out deliberation that is cooperative towards a common goal, negative attitudes towards alternative views, Mob Mentality, reluctance to fulfil one's social responsibility (“Let's tell him we are hung”)).

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## Historical Context of 12 Angry Men

It was set during the Cold War- a struggle between two powerful nations for political and economic dominance (USA and the USSR) after WW2. There was also an internal struggle with the Civil Rights Movement-which was concerned with ending racial discrimination (freedom, respect, equality). Joseph McCarthy delivered a speech in 1950 claiming that the state department was filled with communists. He labelled hundreds of people as communists (including President Harry Truman), however his allegations were rarely supported by any evidence of substance. This phenomenon seeped into all corners of American life- between work colleagues, neighbours and family members, people lost their jobs or became social outcasts because of doubts about their political views. McCarthyism- Making claims without evidence. There was an overwhelming sense of mutual distrust and hostility between Americans and Soviets. Post-war Soviet expansionism in Eastern Europe fuelled America's fears of a Soviet plan to control the world.

Historical Context in Text: Two major opposing individuals (3rd and 8th Jurors), prejudice about the defendant that could have ended his life, thorough examination of evidence (realising that there were gaps and inconsistencies), re-evaluating the case in terms of reasonable doubt (legal principle), prejudice directed at the boy for his upbringing, personal history and ethnicity.

Key Legal Terminology definitions: (defendant: the accused side), (prosecution: the accusing side), (evidence: facts and information indicating the validity of a claim/accusation), (witness testimony: the testimonial of an eyewitness or victim given in court, describing how the event under investigation happened), (reasonable doubt: evidence that can't certainly convict the defendant after thorough examination).

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## Montana 1948- The Prologue

What sort of ideas regarding justice are presented/Differences and similarities between the texts: Justice involves potential violence, tension, hostility and aggression (represented by the shotgun), which are also present in the resulting punishment (compare with the electric chair in “12 Angry Men”). It is usually very confusing, too confusing that people involved in delivering justice misuse their power due to their misunderstanding of justice. Factors impeding the delivery of justice may include family affairs, either love/sympathy for someone connected by blood relations (Wesley and Frank) or hatred for an estranged family member (3rd Juror and his son). Different portrayals of justice in both texts resulted from the chronological accounts of the occurring events, with “12 Angry Men” happening in real-time and “Montana 1948” told retrospectively, creating more sense of chaos. “Montana 1948” is more pessimistic about the justice system, depicting violence and favouritism as a necessary evil in justice that can't be avoided, whereas “12 Angry Men” states how violence could be rightfully evaded by the presence of common sense in the people in charge. “12 Angry Men” is aimed at urbanites (by the depiction of New Yorkers) while “Montana 1948” is targeted at country dwellers of the “Wild West”.

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## Montana 1948-Structural Devices and Quotes

- Adult narrator (first person narration, limited viewpoint, heightens the drama/authority)
- Foreshadowing of the action builds suspense (fragmented memories)
- Flashbacks- very economical retelling, focused on the most important events
- “...before you hear something you can't unhear”: Turning point for David's maturity
- “I hear you're babysitting the babysitter”: David's compassion mocked by his father
- “She's the prettiest woman I've ever seen”: Developing sexual desires in David
- “...in fair exchange bought the man a bus ticket to Billing”: Wesley is a mostly a fair man
- “What does she need? A medicine man?”: Racism against Native Americans in Wesley
- “...how quiet...his job (as sheriff)...is”: Lack of adventure in Wesley's job
- “You never said you did not believe it”: Reasonable doubt in Frank's molestations
- “My mother...go...on her feelings, her emotions”: Sometimes emotion trumps logic in justice
- “She saw him...brother to a pervert”: Gail's disgust at Wesley's indifference towards the claim
- “I don't need no doctor”: Fear for Dr. Frank's sexual misconduct
- “My hands were wet from gripping Marie's shoulders”: David's similarity to Marie, as a carer
- “I loved her. Because she talked to me, cared for me”: Marie is a good person despite ethnicity

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## Montana 1948 Setting

- “My father was serving his second term as sheriff of Mercer County, Montana. We lived in Bentreck, the county seat and the only town of any size in the region. In 1948 its population was less than two thousand people”
- “Mercer County is in the far northeast corner of Montana and Bentreck is barely inside the state's borders. Canada is only twelve miles away...and North Dakota ten miles”
- “Then, as now, Mercer County was both farm and ranch country, but with only a few exceptions, neither farms nor ranches were large or prosperous”
- “On the western edge of the country and extending into two other counties was the Fort Warren Indian Reservation, the rockiest, sandiest, least arable parcel of land in the region. In 1948 its roads were unpaved and many of its shacks looked as though they would barely hold back a breeze” (Compare with “He was born in a slum. Slums are breeding grounds for criminals. I

know it. So do you. It's no secret. Children from slum backgrounds are potential menaces to society.”- 4th Juror in 12 Angry Men)

Historical Context (**Indian Reservations**): There is a background of racial prejudice for the barren and wind-blown land (“Wild West”). The Native Americans have been dispossessed of their land and their heritage, defeated by the superior power of the white settlers. Of all the tribes in the Great Plains area, the Sioux were the most resolute in resisting white men's incursions (or invasion) upon their land (hunting grounds, decimation of buffalo). The Sioux resistance to white domination ended in 1890 (The Battle of Wounded Knee massacre). The reservations are tracts of land, usually very poor, unproductive and even hostile, that the US government allocated to the Native Americans. These were administered by the Federal Government and meant that these proud, independent people lost control over their own lives (dispossession, failure to survive on their own terms). Today, two thirds of the Native Americans live on these reservations. The dispossession of American Indian lands meant that they were a marginalised minority that was not accepted as part of town communities because of their race. Their culture was not seen as a valid alternative to white Westernised ideas and learning. The white community in 1948 had an attitude similar to the settlers who “tamed” the land in the previous century. However, there was also a developing view that Native Americans were “useless” and not functional members of society in white terms. (**World War II**): “And 1948 still felt like a new blessedly peaceful era. The exuberance of the war's end had faded but the relief had not. The mundane, workday world was a gift that had not outworn its shine. Many of the men in Mercer County had spent the preceding years in combat. (But not my father; he was a 4F. When he was sixteen a horse kicked him, breaking his leg so severely that he walked with a permanent limp, and eventually a cane, his right leg V-ed in, his right knee perpetually pointing to the left”. The US forces served at war between 1941-1945 (estimated losses were 211987 people). Most families were affected in some way by the trauma of war (there was relief over the end of the war- quiet life). Frank Hayden was welcomed home as a war hero. Anyone disturbing the peace was likely to be unpopular.

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## Montana 1948 and 12 Angry Men Comparison

Prejudice in Montana 1948: “**The word is he doesn't do everything on the up and up**” Page 51. Daisy McAuley admits that knowledge of Frank's abuse of women is known around town. She suggests that it has been overlooked because it only concerns the native women. “**He wears those (Indian slippers) and soon he'll be as flat-footed and lazy as an Indian**” Page 34. “**Frank's always been partial to red meat**” Page 72. Grandpa Hayden dehumanises Native Americans as being pathetic sex objects anyone can violate. “**I realise now...that college was not for Indians**” Page 26. Native Americans are deliberately denied of education in order to keep them in the poverty cycle. “**Objects of the most patronising and debilitating prejudice**” Page 101. The Native American community is treated as objects instead of human beings, institutionalised racism is present.

Prejudice in 12 Angry Men: “**I think the guy's guilty. You couldn't change my mind if you talked for a hundred years**” Page 12. The 7th Juror shows an attitude resistant to change. It is difficult to overcome prejudiced views and treat people equally. “**I've lived among 'em for all my life. You can't believe a thing they say**”. Prejudice formulates opinions before the actual circumstances are examined. “**The children who come out of slum backgrounds are potential menaces to society**”. Prejudice can even serve to distort the hard facts represented by the 4th Juror.

Law and Order in Montana 1948: “**We don't have proof of anything**”. It is important to be certain of the facts when investigating a legal matter. “**In the early twenties...my grandfather began his**

**first of many terms as county sheriff...when grandfather's terms expired, his deputy, Len McAuley would serve a term; after Len's term, Grandfather would run again, and this way they kept the office in the proper hands**" Page 20. A small group of people have control over the town and law enforcement (oligarchy). **"He had long since stopped being my father. He was now my my interrogator, my cross examiner. The sheriff. My uncle's brother"** Page 98. Wesley has schizophrenic personalities, and he is struggling to choose the right one for the proper delivery of justice. This makes David feel uneasy. **"This county is going to be split three ways by this"** Page 145. Pursuit for justice leads to negative public opinions and fragmentations in the community.

Law and Order in 12 Angry Men: **"He's lucky he got it (a trial)"**. Lynching should never be an option in the delivery of justice. **"If we're going to discuss this case, let's discuss the facts"**. Facts is one of the most important parts of justice in a free, democratic society.

Abuse of Power/Corruption in Montana 1948: **"Wesley, your brother is raping these women. These girls. These Indian girls. He offers his services to the reservation, to the BIA school... then when he gets these girls where he wants them he..."** Page 47. Sometimes the truth will be uncovered and leave individuals and society striving to try to resolve injustices. **"He said it (being the sheriff) means knowing when to look and when to look away"** Page 93. In order to appease someone higher up on the social hierarchy, corruption and favouritism is necessary. Justice can be neglected by favouritism/bias and corruption. Individuals may break the law and get away due to their social status. **"He wanted, he needed power. He...drew sustenance and strength from controlling others"** Page 20. Grandpa Hayden has a twisted sense of power and control. He likes misusing his power unnecessarily to make himself seem like the person in charge. **"...violated by a man who had taken a vow to do them no harm"** Page 161. The Hippocratic Oath recited by all doctors states that doctors must not harm their patients in any way. Frank is abusing his power and social status as a doctor.

Abuse of Power/Corruption in 12 Angry Men: **"(11th Juror) What kind of man are you? You have sat here and voted guilty with everyone else because there are some baseball tickets burning a hole in your pocket. No you have changed your vote because you say you're sick of talking here"**. Sometimes our personal interests can interfere with how we perceive justice.

Morality in Montana 1948: **"My father believed in proof, in evidence...my mother, on the other hand, was willing to go on a lot less, on her feelings her faith"** Page 53. Sometimes we might not be able to take the right action until all protocol has been followed. **"Sins-crimes- are not supposed to go unpunished"** Page 85. Punishment for misdeeds must be delivered without delay, otherwise it is in itself a sin or crime. **"I believe that in this world people must pay for their crimes. It doesn't matter who you are or who your relations are; if you do wrong, you pay"** Page 156. Wesley, in a role reversal with Gail, now believes the fact that it is a breach of morality to ignore breaches of morality whereas Gail and David just want Frank out of the house so that they get their normal lives back.

Morality in 12 Angry Men: **"You want to see this boy die because you personally want it, not because of the facts"** Page 47. Justice must be based on the right reasons and right actions - not the anger or assumptions of a few people.

Responsibility in Montana 1948: **"Why? Are you telling me this because I'm Frank's brother? Because I'm your husband? Because I'm Marie's employer?...Or because I'm the sheriff?"** Wesley admits that his position in law enforcement will make him conflicted about what to do in regards to his brother. **"Frank said he's going to cut it out"** Page 85. Wesley trivialising Frank's sexual misconduct as a child's prank in order to lessen his responsibility.

Responsibility in 12 Angry Men: **“You took an oath in the courtroom. You can’t just quit”** The 3rd Juror is aware of their responsibility in deciding on a verdict and realises that giving up would not lead to justice.

Family Loyalty in Montana 1948: **“Uncle Frank was my father’s brother, and my father knew him as well as any man or woman. And my father knew he was guilty”** Page 54. Justice can sometimes leave a person deeply conflicted about trying to maintain relationships and follow the law. **“The next thing I knew they were shaking hands...(they) walked off together, their broad shoulders almost touching”** Page 84. Wesley and Frank Hayden are more similar than they initially appear, family tensions subside before the climax. **“He simply said “my son””** Page 37. Grandpa Hayden ignores Wesley's existence because he is the less impressive of his sons, but Wesley was still initially loyal to his family ties during his investigation of Frank, possibly due to the fear of his father. **“He was not only her husband, he was a brother...brother to a pervert”** Page 52. Gail's disgust for Wesley is apparent because she believes that there may be a perverted persona inside Wesley due to his association/biological relationship with Frank and the Hayden family. **“I wasn't simply ratting on my uncle”** Page 99. David is refraining from giving an eyewitness account due to his family obligations- although he knew Uncle Frank is guilty for the rape and murder of Marie, Frank is still a member of his own family (the same mentality as Wesley).

Family Loyalty in 12 Angry Men: **“He's not your son, he's someone else”**. Key reminder to the 3rd Juror about leaving his personal negative sentiments/resentments out of the jury room.

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## Practice Essay Planning

***How the texts reveal that justice is simultaneously fragile yet essential to a functioning society:***

Justice must be effectively enforced and maintained, it is a system that should be free of bias and corruption, involves using reasoning, honesty and delivering what we deserve. Justice depends on society to uphold legal principles to function (**Accept**). It is fragile because of the flaws in human nature (abuse of power, corruption/exploitation, prejudice and personal interest). Reluctance to fulfil one's social responsibility in people responsible for the delivery of justice can cause justice to disappear (**Challenge**). A functioning society should be democratic, free, equal, rational and it should maintain order and offer protection/security for all its members (**Message**).

Sample plan: Justice is essential to ensure society remains civilised, however it is subject to threats and challenges and ultimately requires vigilance to ensure it is protected. Justice is important to a civilised society (**Accept**). Justice is fragile with many threats and challenges (**Challenge**). Justice requires vigilance, courage and personal responsibility (**Message**).

***Compare how the texts expose the threats to justice and the consequences of defending it:***

Prejudice and bigotry can obstruct justice, because when people responsible for justice are narrow minded, they tend to be defensive of their original opinion (3rd Juror and Julian Hayden), not willing to undergo the standard procedures for justice. Justice should be defended at all costs, regardless of the difficulties or the potential negative impacts eg negative public opinion, identity conflicts, death, estrangement (**Accept**). However, abuse of power, favouritism and personal interests (impatience/disinterest eg 7th Juror) can also impede justice, even though prejudice is the biggest menace to justice. Not all consequences of enforcing what's right is negative, the delivery of justice could also lead to security, equality, harmony, moral rewards (kudos), legal principles being upheld (**Challenge**). One must remain vigilant, identifying and confronting prejudice and bigotry, to ensure justice is delivered fairly (**Message**).

Sample plan: Clearly there are many threats to justice and defending it can certainly prove challenging, however its fundamental importance to a civilised society cannot be ignored and eternal vigilance is needed to protect it. Presence of threats to justice (**Accept**). Consequences of defending justice- both positive and negative (**Challenge**). Importance of defending justice- vigilance is needed (**Message**).

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## Practice Comparative Essay

In both *12 Angry Men* and *Montana 1948*, numerous menaces to the concept of justice and the values of justice were presented as central themes. The two texts were, respectively, a primary source and a secondary source, therefore their depiction of the notion of justice differs from the time era, as well as the setting. The depiction of justice by *12 Angry Men* is more reliable as it occurs in real time, whereas *Montana 1948* was set in retrospect with an adult narrator reconstructing the events from flawed memory. *Montana 1948* was set in the “wild west” and *12 Angry Men* was set in the civilised metropolis of New York. Prejudice and bigotry are the most serious threats to justice that causes people to act on their sentiments, not on the facts. Despite these obstacles, justice should be delivered regardless of the negative repercussions: “it doesn't matter who you are, if you do wrong, you pay”. However, preformed personal opinions are not the sole threats to justice. Justice must be delivered and maintained by watchful eyes, otherwise justice would be left out to decay if not maintained. Without justice in society, the society would become dysfunctional, uncivilised, a free-for-all.

Although preformed personal opinions pose the greatest hinderance to justice, it should be pursued at all costs. The Tenth Juror believes “you can't believe a word they (slum dwellers) say” because he is close-minded and therefore defensive of his opinions. He could be considered an archetypal representation of racism, bigotry and prejudice in working class American society. Likewise, the Third Juror holds a personal grudge against what he perceives as “rotten kids”. In their quest to attain justice for the accused, the jurors need to overcome not only their own bigotry, but each other's, and “discuss the facts”, not letting bigotry hijack their actions. However in *Montana 1948*, the aftermath of delivering justice is much more severe. The overbearing Hayden family sees Native Americans as “red meat” and abuses its power. In the wake of Frank Hayden's suicide, an “unbridgeable gulf” was formed in the Hayden family. Delivery of justice requires “sand it (law) right down to the bare wood” in order to neutralise threats to it. Justice should, and must be delivered by removal of its inhibitors, however estrangement, even death, may result from its enforcement.

Prejudice and bigotry are not the only threats to justice out in the wild, although they are the most serious ones. The seemingly unswayable Seventh Juror said “You couldn't change my mind if you talked for a hundred years.”, but his façade quickly drops when he changes his vote just so he can get to his ballgame quicker. Indeed, personal interests can corrupt people's abilities to uphold justice, abusing the power they possess. *Montana 1948* further depicts alternative threats to justice. Wesley defends justice for Marie Little Soldier despite the potential backlashes from his oligarchic family: “You just don't lock up your brother, a war hero”, but he holds his ground and repels attacks from Julian. Even to his own brother, Wesley refuses to show any favouritism, although earlier he told Frank to “cut it out” as if it's a children's prank. This is a significant turning point of Wesley's character development as he stands firmly to pursue justice. All impurities that inhibit justice must be removed. One must not only confront prejudice when preserving justice, one also needs to keep personal interests and favouritism in mind and in check.



A tree metaphor may be applied to justice. It needs to be watered by constant vigilance in order to grow and thrive. For example, only when the eighth Juror exposes the third Juror “want the boy to die because you (he) want it personally” did he revert his vote to “not guilty”. He needs to be reminded of how the defendant is “not your boy” due to his personal vendetta against youths. The inner persona needs to be identified and confronted so that it does not hinder justice. In Montana 1948, although the outcomes of preserving justice lead to complete disaster, it was still necessary for Wesley to look out for injustices in his community. Although Len adopts an apathetic attitude about “...when to look and when to look away”, Wesley “didn't get the hang of it”. He believes that acts of injustice should always be identified, investigated and resolved, whoever the perpetrator may be. If justice were truly delivered, it is necessary to keep one's guards up, or else justice will lose its power and prestige.

Both *12 Angry Men* and *Montana 1948* expose the meaning of justice, albeit from different societal and chronological perspectives. Prejudice is an omnipresent inhibitor of justice, “No matter where you run into it, prejudice obscures the truth”. Justice, although potentially flawed in its enactment, may cause great unhappiness, but it should be delivered, otherwise it is an act of injustice in itself. However, favouritism and abuse of power for personal gains can also delay or completely stop law and order coming to the underprivileged's defence. Constant vigilance is required to stop injustice, otherwise the law will be left to decay if it's not enforced. In order to keep our society civilised and in order, we all must uphold the law, purge ourselves of prejudice and corruption, keep our own personal interests aside and confront acts of injustice. All of these qualities combined would ensure justice is delivered for the unfortunate.

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## Messages of Both Texts

*Twelve Angry Men*: Preformed opinions need to be overcome/confronted in order to attain justice. Just decisions are based on fact not opinion. Justice can be distorted by personal prejudice and opinions (not black and white).

*Montana 1948*: Delivering justice has its own consequences when there are dominating persons around. Prejudice and bias need to be put away. Pursue justice no matter the personal cost. We must do what is legally and morally right. Family loyalty doesn't come before law and order/social responsibilities.

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## Key Questions and Scenes

Should we ignore moral obligations if we know that the truth will hurt: We should not ignore moral obligations in order to avoid the elephant in the room/skeleton in the closet because nothing would shelter us from the copious ugly truths in the world. We need to be confronted by these truths as a natural acquisition of immunity to acts of injustice, which are “moral diseases”. Only then could we think of ways to address/neutralise these negative aspects in society.

Switchblade Knife Scene: **B:** (Reenactment: “8th Juror: I'm just saying that it's (the presence of another similar knife at the crime scene) is possible. 3rd Juror: It's not possible *8th Juror draws out knife*”) Justice must be achieved through careful and honest deliberation, ie examination of evidence, free from personal interests and other qualities that may corrupt justice. Although it may be necessary to break the law in order to attain justice (Slide: “4th Juror: It's illegal to buy or sell a switchblade knife. 8th Juror: That's right I broke the law”), it should and must be done, especially for someone facing the death penalty. **A:** Conversely, injustices occur when alleged key evidence to

the crime, like the switchblade knife, have been distorted or misrepresented so that it can send an accused man to the electric chair without consideration of any other evidence. It is evident (no pun intended) that evidence must carefully analyse the evidence in order for justice to be delivered and injustice to be avoided. **B:** Similarly in *Montana 1948*, (Slide: “We don't have proof of anything”), one cannot charge someone with a crime without reviewing all the facts. Only when David Hayden testifies about how he saw Frank coming out of their house after Marie's murder did Wesley take matters into his own hands. **A:** Suddenly, Wesley became uncompromising in achievement of justice and Gail became anxious, craving for an uneventful life and letting acts of injustice slip away (Slide: “I believe that in this world people must pay for their crimes. It doesn't matter who you are or who your relations are; if you do wrong, you pay”), an effective role reversal. Law and justice are also shown to conflict, because the oligarchic Hayden family led by Julian Hayden can get away with everything given their influence in Mercer County (Slide: “We are the law”). As a result, they can misuse their power as doctor or sheriff to commit rape or murder.

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## Construction Elements of *12 Angry Men* and *Montana 1948*

*12 Angry Men*: The jury room could be considered as another character, minimal use of props, claustrophobic atmosphere (confined, static), dramatic rhythm in the dialogue, heat (literal and metaphorical, present in both texts), the play takes place in real time, the dialogue is naturalistic with speech being characterised by the colloquialisms of the era (not pretentious), each character is a symbol (representing socially and culturally diverse sectors of society), open-ended plot (if the defendant is guilty or not), Two-Act structure (action running continuously, unity of time-confined time period), no scene divisions or changes in chronology (unity of place- single location), the play can be measured by votes to show the jury's opinion on the defendant's conviction (unity of action- the decision making process is the central issue of the play), a gritty real life look at a realistic situation (“a slice of life”). Structure of the play: Exposition (review important details of the case), Flare up (disagreement), tempers calm, exposition, primary source.

*Montana 1948*: Use of a prologue and an epilogue (foreshadows events, adds suspense and reveals the fate of the characters/how the adult narrator was affected), retrospective narration (flashbacks), first person narration heightens the drama, adult narrator, secondary source.

Sample Sentences- Construction Elements: Watson employs a retrospective narration from the perspective of 12 year old David Hayden to show readers that exposure to acts of injustice can have lasting effects on our lives (views, beliefs etc). The first person narration of David Hayden allows readers to closely follow his thoughts and beliefs about justice. The real time structure of “*Twelve Angry Men*” is used to make the jury room more naturalistic and authentic in terms of the deliberation being held there.

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## Exam Preparation

Sample Essay Topic: “It doesn't matter who you are or who your relations are; if you do wrong, you pay. I believe that. I have to”, “It's not easy to raise my hand and send a boy off to die without talking about it first.” *Compare the ways in which 12 Angry Men and Montana 1948 exposes not only the importance of justice but the challenges facing it.*

**Importance:** “we have reasonable doubt”, not guilty, no conviction, deliberation leads to justice “when to look and when to look away” law and order over family loyalties. **Challenges:** “Prejudice obscures the truth wherever you run into it”, unanimous verdict, “The squaws though” Wesley

doesn't charge brother initially, racism against Native Americans. **Message:** justice requires vigilance to be maintained, courage and personal responsibility, "You sat here and voted guilty", the jury deliberates over reasonable doubt, Juror 8 doesn't bend to pressure, "sand it down to the bare wood", David bearing witness to Frank's crime, Marie tells others the truth about Frank's crimes, Gail loads shotgun to defend the home and keep Frank locked up.

## Exam Revision (Semester 2)

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### 12 Angry Men/Montana 1948 Practice Essay and Revision

Topic: "Sins... crimes... are not supposed to go unpunished." (Gail, Montana 1948), "You have no right to play like this with a man's life. This is a terrible and ugly thing to do." (Juror 11, 12 Angry Men). **Both texts expose that prejudice and self interest must be confronted if justice is to be achieved.** Sample contention: There is a need to overcome all challenges that we are faced with to achieve justice and maintain a harmonious and democratic society. 1. Confronting prejudice (eg Prejudice can interfere with just processes and it must be overcome through determination and perseverance), 2. Confronting self-interest (eg There is also a need to overcome self-interest so that the needs of others are not disregarded in favour of one's agenda), 3. The importance of achieving justice-combatting prejudice and self-interest (eg Although there are difficulties in achieving justice, it is essential for society to be more democratic and equal).

**\*\*start of essay\*\*** In both 12 Angry Men and Montana 1948, various menaces to the concept of justice were presented as central themes. The two texts were, respectively, a primary source and a secondary source, therefore their depictions of justice's threats differs from the time era, as well as the setting. The portrayal of justice by 12 Angry Men is more reliable as it occurs in real time, whereas Montana 1948 was set in retrospect with an adult narrator reconstructing the events from flawed memory. Montana 1948 was set in the "wild west" and 12 Angry Men was set in the civilised metropolis of New York. Prejudice is the most serious threat to justice that causes people to act on their sentiments, not on the facts. Despite these obstacles, justice should be delivered regardless of the repercussions: "it doesn't matter who you are, if you do wrong, you pay". However, bigoted bias is not the sole threat to justice. Justice must be delivered and maintained by watchful eyes, otherwise justice would be left out to decay and be disregarded. Without justice in society, the society would become dysfunctional, uncivilised, a free-for-all.

Preformed personal opinions are considered by both texts as a "sin" that should not go "unpunished". The Tenth Juror believes "you can't believe a word they (slum dwellers) say" because he is close-minded and therefore inappropriately defensive of his opinions. He is considered an archetypal representation of racism, bigotry and prejudice in working class American society. Likewise, the Third Juror holds a personal grudge against what he perceives as "rotten kids". It was therefore necessary to eradicate these mental "crimes" by "discuss(ing) the facts". However in Montana 1948, the aftermath of delivering justice is much more severe. The overbearing Hayden family sees Native Americans as "red meat" and abuses its power. In the wake of Frank Hayden's suicide, an "unbridgeable gulf" was formed in the Hayden family. Delivery of justice requires "sand it (law) right down to the bare wood" in order to purge the system of impurities such as prejudice. Prejudice was easily removed in Montana 1948, however estrangement, even death, may result from the enforcement of justice.

Prejudice is not the only threat to justice out in the wild, although it is arguably the most severe one. The seemingly unswayable Seventh Juror affirms how "You couldn't change my mind", but his façade quickly dropped when he changes his vote just so he can get to his ballgame quicker.

Personal interests can seriously hinder people's abilities to uphold justice. They are abusing their power, when "they have no right to play with a man's life". Montana 1948 further depicts alternative threats to justice. Wesley defends justice for Marie Little Soldier despite the potential backlashes from his oligarchic family: "You just don't lock up your brother, a war hero", holding his moral ground. Even to his own brother, Wesley refuses to show any cronyism to gain favours from his family, although earlier he told Frank to "cut it out" as if his misdemeanours were children's pranks. This is a significant turning point of Wesley's character development as he stands firmly to pursue justice. One must not only confront prejudice when preserving justice, one also needs to keep personal interests in mind and in check.

A tree metaphor may be applied to justice. It needs to be watered by constant vigilance in order to grow and thrive. For example, only when the 8th Juror exposes the 3rd Juror "want the boy to die because you (he) want it personally" did he act upon reason and revert his vote. He needs to be reminded to give up his personal vendetta against youths, the inner persona needs to be identified, confronted and addressed before justice is achieved. The 11th Juror also called out Juror 7's selfishness as "a terrible thing to do". In Montana 1948, although the outcomes of preserving justice lead to catastrophe, it was still necessary for Wesley to look out for injustices in his community. Although Len adopts an apathetic attitude about "...when to look and when to look away", Wesley "didn't get the hang of it". He believes that acts of injustice should always be identified, investigated and resolved, whoever the perpetrator may be. If justice were truly delivered, it is necessary to keep one's guards up, or else justice will lose its power and prestige.

Both 12 Angry Men and Montana 1948 expose the meaning of justice, albeit from different societal and chronological perspectives. "Prejudice obscures the truth" not only juridically, but it clouds our societal views, its role as an omnipresent repressor of justice makes it particularly dangerous. However, temptations of personal gains can also delay or completely stop law and order coming to the underprivileged's defence. Constant vigilance is required to stop injustice, otherwise the law will no longer be punishing the wrongdoers. In order to keep our society civilised and ordered, we all must uphold the law, purge ourselves of prejudice and corruption, keep our own personal interests aside and confront acts of injustice. All of these qualities combined would ensure justice is delivered for the unfortunate. \*\*end of essay\*\*

Guilt/innocence paragraph: In 12 Angry Men, the guilt or innocence of the defendant was left purposely by the author to be unconfirmed. However, the realisation of reasonable doubt, the state of questioning the evidence, compelled the jurors one by one to reverse their votes, even at the risk of letting a guilty murderer go free. This is an example of the trope "Rousseau was Right", where it is stated that all people, no matter how bigoted, would put aside their bitterness when it is absolutely necessary to do so. In Montana 1948, however, it was unambiguous to the readers and the characters in universe, especially David Hayden, that Frank Hayden was guilty of the many unspeakable acts he committed against the Native Americans. In contrast to 12 Angry Men, despite knowing the facts about Frank's atrocities, the townsfolk of Bantrock willingly decided to cover up or ignore the facts in an agnostic depiction of justice.

Introduction: What is the contention (Establish the social, historical and/or political context of both texts, state the contention, identify three supporting arguments, explain the relevance of both texts to justice). Body Paragraphs: What are the main ideas for the topic (Include a topic sentence, discuss relevant textual evidence- setting, characterisation or themes in relation to one text, transitional sentence, discuss relevant textual evidence for the second text with links back to the previous text, finish with a final comparative sentence that ties ideas back to the focus of the paragraph). Conclusion: How would the arguments be summarised (Summarise contention and

three supporting arguments. What are audiences and readers left to consider/reflect on? What are we charged with the responsibility to do in our own lives given the similar/different lessons of both texts? Mention contemporary audience).

**Topic 2 planning** The texts reveal that when power is abused, serious injustices may occur. Compare how *Montana 1948* and *12 Angry Men* expose this idea. **Contention:** Although the abuse of power can lead to serious injustices, justice can be restored if individuals are prepared to persevere and confront the truth. **Body paragraph 1:** Demonstrate how power was abused in the texts (eg 7th Juror not voting seriously, the Hayden oligarchy), In both texts there is an abuse of power that threatens to override just processes **Body paragraph 2:** List the consequences of power abuse (eg a potentially innocent man put to death, murder), There are serious injustices that occur due to the selfish and prejudiced attitudes of individuals in positions of authority or power. **Body paragraph 3:** How can we prevent/stop people abusing their power (eg actions of 8th juror, Gail standing up for Marie), Although the abuse of power can be devastating and lead to injustice it is important to fight for justice to help overcome this adversity to create a more equitable society.

**Topic 3 planning** The texts reveal that social inequality threatens to undermine the foundations of justice. Compare how *Montana 1948* and *12 Angry Men* expose this idea. **Contention:** While there is considerable social inequality in both texts that makes minority groups vulnerable to injustice, it is possible to restore justice through promoting values of equality and fairness. **Body paragraph 1:** Demonstrate how inequalities were present (eg slum dwellers, Native Americans), In both texts there is social inequality that increases injustice for minority groups. **Body paragraph 2:** Show how justice was undermined and how injustices occurred (eg 10th juror's prejudice, being treated as "red meat"), The foundations of justice are threatened by a lack of social inequality which leaves some groups powerful and others powerless. **Body paragraph 3:** Discuss whether we should remove inequality to achieve justice or achieve justice to gain equality, There is a need to promote values of equality and fairness to try to provide a more balanced and harmonious society where justice can occur.