

Reading *Twelve Angry Men* from the Prism of Crowd Psychology

قراءة في 12 رجلا غاضبا من منظور سيكولوجية الجماهير

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Abstract:

The rivalry between the One and the Many is a recurrent debate in American history. The Legal System is a sphere that crystallizes this rivalry. While the Jury System is a preserved institution in the American Constitution, the frequent scandalous performances of jury members contradict their idealized position as independent protectors of Justice and Liberty. Sidney Lumet's *Twelve Angry Men* offers a cinematic view from within this institution. The following paper aims at analyzing this movie from a less visited perspective. With a chief reliance on Le Bonian views on Crowd/Group Psychology and Žižekian/Benjaminian postulations on Violence, this research essays to divulge the dynamics of group inherent to jury deliberations. Issues of unconsciousness, racial/emotional biases, leadership, manipulation of the group, and violence will be highlighted in this article.

Keywords: Crowd Psychology; Collective Mind; Leadership; Unconsciousness; Violence.

ملخص:

يعتبر النزاع بين الفرد و المجموعة جدالا متكررا في التاريخ الأمريكي و يعد النظام القضائي ميدانا لتبلور هذا النزاع. في حين أن نظام هيئة المحلفين مؤسسة مصونة في الدستور الأمريكي فإن أخطائهم الفاضحة و المتكررة تتعارض مع مركزهم المثالي كحماة مستقلين للعدالة و الحرية. يقدم فيلم 12 رجلا غاضبا للمخرج سيدني لوميت تشخيصا سينمائيا من داخل هذه المؤسسة. تهدف هذه الدراسة، من خلال اعتماد رئيسي على جوستاف لوبون و آراء جيباك و بنيامين حول مفهوم العنف، إلى تحليل الفيلم من منظور سيكولوجية الجماهير. تسعى الدراسة إلى كشف ديناميكية الجماعة الملازمة لمداولات هيئة المحلفين. من خلال هذا البحث سيتم تسليط الضوء على قضايا اللاوعي، التحيز العنصري / العاطفي، القيادة، التلاعب بالجماعة و العنف. كلمات مفتاحية: سيكولوجية الجماهير، العقل الجماعي، القيادة، اللاوعي، العنف.

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Introduction:

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The dichotomous friction between the One and the Many, Individualism and Collectivity shapes the narrative of American history (Mills, 1986). This dispute is pervasively traced in debates between Federalists and Republicans or Centralized and Decentralized governance. On the one hand, individual rule is considered by its opponents as an oligarchic practice that oppresses the public. On the other hand, fervent detractors of collective rule view this ‘democratic’ initiative as a reign of ‘Mobocracy’. This perpetual debate oscillates between the fear of locating power in the hands of people and an aspiration to equip the public with this sovereignty. The legal system, which heavily relies on the Jury System, epitomizes a material case for this conflict. Whenever an attempt to assess its performance or locate its position in American Democracy is made, recollections of the Founding Fathers’ idealized views on the jury trials re-emerge. The Jury System is often chanted as “the only anchor ever yet imagined by man, by which a government can be held to the principles of its constitution” (Jefferson, 1903), and a remarkable institution that preserves the rights of the citizens, enables them to participate in politics, legally instructs them, and guarantees the separation of Powers (Tocqueville, 2000). Such poetic expressions on the jury articulated by reputed intellectuals often mask recurrent scandalous performances. If Tocqueville’s *Democracy in America*, an emblematic contribution by a French intellectual, sets America’s model of democracy apart among nations, the observations of his compatriot, Gustave Le Bon, dismantle the elevated status of the jury. The view that jurors are impartial, autonomous, and responsible comes in total contradiction with their openness to manipulation, low intellect, and unconscious estate (Le Bon, 2002). Consequently, the Jury System, the defensive line of American Democracy, becomes an entity constituted of ‘de-individuated’ individuals subjected to the crowd/group mentality.

In one of the early scenes of Sidney Lumet’s *Twelve Angry Men*, the audience is exposed to a saying attributed to George Washington: “The true administration of justice is the firmest pillar of good government” (Lumet, 1957). In the light of this quote, the movie evinces how justice is achieved amid the tyrannous tendencies of the jurors. Despite the initial unfair treatment of a boy accused of premeditated murder against his father, the movie discloses a successful deliberative process and sets the jury as an important dramatic element. On the significance of the jury in the movie, David Mamet, in his introduction of the original script by Reginald Rose, contrasts the jury with the mob:

The jury is that same group of individuals who can, through divisive words, be congealed into a mob; who can, through persuasion or art, form itself into an audience. The audience suspends its disbelief in order to receive entertainment. As, curiously, does the mob—which is merely an audience enflamed, and moved by its righteous wrath, to crime. But the jury sets aside its prejudices, to aspire to the highest state of humanity: the capacity to use reason to overcome animal passion. (Rose & Mamet, 2006).

This hints at Mamet’s apotheosis of the Jury System. The acquittal of the boy is often seen as a reflection of a sound legal procedure that should be conserved. However, this comes in opposition to findings opining that “[g]roup dynamics mold and shape the jury’s decision” (Yarbrough, 2016). Furthermore, Kassin and Wrightsman, drawing on scandalous jury deliberation in America, conclude that “the jury, composed after all of ordinary people, amateurs, is an error-prone decision-making body” (Kassin & Wrightsman, 1988). Significantly, in their focus on *Twelve Angry Men*, Kassin and Wrightsman indicate the leading role of Fonda in reversing a jury from a “majority in favor of conviction” to a “unanimous acquittal through the workings of a single, highly influential juror” (Kassin & Wrightsman, 1988). With this being said, the undoubted estimation of the jury is deconstructed and perspectives of re-readings into this legal structure become reasonable.

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Among the early studies conducted on the psychological functioning of groups/crowds, Gustave Le Bon's *Crowd Psychology: a Study of the Popular Mind* stands as a unique contribution. If his views gained popularity among readers and scholars, the theses advanced by Le Bon regarding "criminal juries" remain marginal. The few studies that adopt a psychological stance to the study of *Twelve Angry Men* rarely refer to his observations. This paper aims at reviewing the movie from a perspective that is primarily Le Bonian. It sheds light on the collective mind, the status of the leader, and Žižekian/Benjaminian formulas on violence as linked to the crowd/jury and the American legal system. Within the space allocated to this discussion, issues of unconsciousness, biases, fallacies, manipulation, violence, and aborted emancipation will be highlighted.

1. The Collective Mind: Unconsciousness, Racial/Emotional Biases, and Intellectual Inferiority

An initial/preliminary scrutiny of the jury of *Twelve Angry Men* reveals the conformity of their profile to Le Bonian views about crowd/group dynamics. In spite of their perception as twelve independent/autonomous jurors, compliance with Le Bon's general observations about the crowd/group dynamics is noticed. The most obvious trait, and accordingly the most essential, is the fact that the jurors are gathered for the same purpose. The twelve men are driven to a confined space to decide on a case which activates and favors the birth of a collective mind. Once these circumstances are established, manifestations of collectivity emanate.

The most evident manifestation of the collective mind is perceptible at the level of unconsciousness. Le Bon holds that the birth of a group is accompanied by a "disappearance of the conscious personality, [and] the predominance of the unconscious personality" (Le Bon, 2002). The movie reveals the idea of unconsciousness both explicitly and implicitly. The jurors express heinous racist judgments against the accused. Certainly, the idea of racism is dramatically inserted to intensify the notion of justice. However, it indicates latent unconscious drives that would determine the final verdict of the case. While the claim that a jury should decide on a case objectively is frequently mentioned and is maintained through a repetitive reference to 'facts', the accused boy is stigmatized and judged by most jurors based on his background. This is voiced in a series of racist comments and insinuations that outline the jurors' mental portrait of the boy. He represents to most of them the progeny of a community that "let the kids run wild", "a product of a filthy neighborhood", who comes from slums which "are breeding grounds for criminals", and ultimately a "potential menace[] to society" (Lumet, 1957). Manifestly, these biased judgments are mostly expressed by the third, fourth, and tenth jurors. However, they remain initially and relatively uncontested for after the first turn of votes, almost every juror is convinced that the boy is guilty. Once the first turn of votes takes place, juror ten, played by Ed Begley, voices what his fellows are less explicit about and contests Fonda's non-guilty vote. For him, the accused is fortunate enough to receive a fair trial, and the jurors should stick to the proofs advanced in court instead of believing the boy. His past experience among the community from which the boy comes instructed him not to "believe a word they say [since] they're born liars" (Lumet, 1957). The comment made by the juror reveals the inconsistency of his judgment. Although he makes reference to the facts being heard in the court, his final judgment is biased. Although he frequently chants credence in facts, he essentially relies on his past experiences to condemn the boy who is said to belong to a community of "violent" and "liars" with a penchant to murder and radical absence of human feelings.

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By fallaciously bringing up ‘facts’ every now and then, the members of the jury are entirely immersed in denial. This latter is a defense mechanism that widens the gap between consciousness and unconsciousness (Cohen, 2001). While the case of Ed Begley is less apparent, the suffering of the 3rd juror is explicitly voiced. Lee J. Cobb, shows the incapacity of discerning objectivity from subjectivity. In an earlier scene of the movie, he insists on having “no personal feelings about [the case]” and limits himself to a seemingly objective list of different ‘facts’ to defend his position (Lumet, 1957). As the movie progresses, one clearly sees the source of intolerance this juror expresses towards the accused. In one of the most remembered scenes of the movie, Cobb engages in performance voicing his inner suppressed thoughts. He recounts a conflict he had with his son. The parental tie that his son destroyed is projected onto the accused. This makes the punch he received from his son similar to the stab the murdered father received from the accused. The melodramatic performance of the actor vents the psychological complexes he concealed for years. His performance is followed by a silence that intensifies the case as he holds the picture of his son proving the impact it has on him. This is not different from the racial prejudice highlighted above for both biases are rooted in the unconscious. The inconsistency noticed in the case of juror 10 applies here; claims about objectivity/impartiality are abolished as soon as the impetus of the judgment is located. An identical scene is replicated with a stronger impact near the end of the movie. After going on with listing the ‘facts’ to support his stand-alone vote, Cobb finally re-exposes his latent prejudice:

The phrase was “I’m gonna kill you.” That’s what he said. To his own father. I don’t care what kind of man that was. It was his father. That goddamn rotten kid. I know him. What they’re like. What they do to you. How they kill you every day. My God, don’t you see? How come I’m the only one who sees? Jeez, I can feel that knife goin’ in. (Lumet, 1957)

Thus, by refusal or ignorance, the third juror, and by extension, the other members are driven by the racial prejudices and latent suppressed emotions. As long as such drives remain unconscious, they will take the lead.

Figure N° 1. The final performance of Lee J. Cobb



Source: (Lumet, 1957)

Figure N° 2. Lee J. Cobb contemplating the picture of his son



Source: (Lumet, 1957)

The unconsciousness that dominates the profile of the jurors does not only work in the direction of condemning the boy. Some jurors reconsider their votes because of comparable latent

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emotions. For instance, right after the reference to slums that is full of racist comments, juror 5 comments: "I've lived in a slum all my life. I nurse that trash in Harlem Hospital six nights a week . . . I used to play in a backyard that was filled with garbage. Maybe it still smells on me" (Lumet, 1957). Arguably, this might seem as a movement from unconsciousness to consciousness. However, the statement made about slums activates past memories. Consequently, sentimental biases emerge to disrupt former alliance with the group. For juror 5/Jack Klugman, this takes place when changing his vote to not-guilty. The same is noticed with juror 9. While discussing the testimony of the old man heard in the court, juror 9/Joseph Sweeney sharply remarks that the witness suffers from an inferiority complex:

I think I know him better than anyone here. This is a quiet, frightened, insignificant old man who has been nothing all his life, who has never had recognition, his name in the newspapers. Nobody knows him, nobody quotes him, nobody seeks his advice after seventy-five years. That's a very sad thing, to be nothing. A man like this needs to be recognized, to be listened to, to be quoted just once. This is very important. It would be so hard for him to recede into the background . . . No. He wouldn't really lie. But perhaps he'd make himself believe that he'd heard those words and recognized the boy's face. (Lumet, 1957)

The ideas/remarks expressed refer to the association he makes. Juror 9, being an old, projects his own feeling onto the witness. Unlike juror 5, the emotional/unconscious bias that emerges in the case of the 9th juror does not culminate into changing one's position for he changed his vote earlier to this scene. However, it solidifies his conviction that the boy is innocent. In fact, the constant reference to facts, impartiality, and absence of sensitivity, is erroneous. Apparently, all that is verbally refuted and denied is determining the fate of the accused. Throughout the movie, one hears facts and logic. Yet the aforementioned points reveal the dominance of unconsciousness. This inadequacy to factual and logical judgment leads one to reflect on another facet that the movie dramatizes.

Intellectual inferiority, as Le Bon highlights, is a perceptible trait among groups and an immediate symptom of the collective mind (Le Bon, 2002). It is highlighted in the movie throughout different instances. Casual talks about baseball and weather dominate many conversations among jurors. In addition, the low linguistic register employed during the conversations attests for that. However, it is not that profile that warrants attention in this context; the heterogeneous selection of the jury members will inevitably include subjects with a low intellectual background. This is different from the sense of irresponsibility and incapacity to reasoning which accompany the birth of a group (Le Bon, 2002). In spite of the importance attributed to the jury system as a pivotal legal institution, most of the jurors develop irresponsible attitudes towards the case. For instance, once the vote option is initially proposed, some jurors express an urge to finalize the case quickly so that they can rejoin their homes and activities. Similarly, other jurors are shot playing tic-tac-toe. This conduct reveals an incongruity between the seriousness of the case, a first degree murder, and the attitude of the jury members. With the exception of Fonda's opposition, such an indifference to the gravity of the case remains largely undisputed.

The intellectual inferiority observed among the jurors activates a proclivity for logical fallacies. When Fonda tries to remind them of the seriousness of the case, the 7th juror counters him with a fallacious strategy. In response to Fonda's plausible argument about the possibility of being wrong, Tony Danza replies "Suppose we're wrong! Suppose this whole building fell on my head. You can suppose anything" (Lumet, 1957). This statement marks a resort to a logical fallacy which

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reflects his incapacity to reasoning and debating. Incapable of proving his point otherwise, his reply reflects a degree of avoidance and disruption via the Fallacy of Extension/Straw Man Fallacy (Pirie, 2006; Gula, 2002). Instead of addressing the supposition made by Fonda, Danza exaggerates the statement to disturb the process of communication. Another comparable fallacious point is further noticed. When the 2nd juror is asked to plead for his position, he recalls the Burden of Proof Fallacy (Pirie, 2006; Gula, 2002). For him, the guilt of the accused “was obvious from the word go [because] nobody proved otherwise” (Lumet, 1957). Such a fallacious statement holds that if no one proved the innocence of the boy then he must be guilty even if attempts at discussing his innocence are made.

One might plausibly argue that some of the aforementioned points are individual idiosyncrasies that contest Le Bonian and Freudian views on the importance of unconsciousness in the formation of a group. A juror relating his experiences among minorities or impacted by a parental complex might, at first, appear to be detached from the realm of unconsciousness. However, such complexes intern individuals within a latent phase of their lives. In Jungian terms, these complexes have not yet been individuated (Jung, 1968). Therefore, as long as they are unconscious, they exert an insurmountable force on jurors’ decisions. Similarly, the instability of the jurors’ opinions might lead one to reflect on the absence of collectivity. However, the mobility of opinions among group members is a trait highlighted by Le Bon (Le Bon, 2002). Thus, the partial change that is observed among jurors is in fact a symptom of group formation and the existence of a collective mind rather than individuality. The degree of unconsciousness highlighted in this section results in an impaired faculty of judgment. While the twelve men are called to decide on a case by displaying a sense of responsibility, sharp intellectual reasoning, and impartiality, their gathering animates the symptoms of collectivity. If their faculties of judgment are perturbed, they become open to the suggestions and manipulations of the leading figure.

2. The Charismatic Leader and the Mastery of Rhetorical Appeals

Both Le Bon and Freud, the fathers of crowd/group psychology, opine that the establishment of a collective mind is accompanied by a sense of servility to a leading figure (Le Bon, 2002; Freud, 1949). If one follows the assumptions made in the first section about the twelve men as a group, one should not neglect this preliminary condition for the genesis of the group/crowd. In the case of juries, when “twelve men and women gather to decide the fate of the parties, a “leader” quickly sways the deliberations and course of discussion” (Yarbrough, 2016). At a surface level, the role of leader is assumed by the Foreman. However, this deceptive attribution does not surpass a stage of a pseudo-leadership. The foreman does not fulfill the requirements of a leading figure; his performance does not appeal to the functioning of the crowd/group mentality. For instance, his opening speech calls for vote and gives a space of liberty to the jurors to decide about the way they should deal with the case. Such a trait marks a democratic quality which is at odds with the servility of the crowd (Le Bon, 2002; Freud, 1949). Consequently, the foreman finds himself occasionally intimidated by the members of the jury. His incapacity to control the group stems from his lack of an aura that would make his words heard by his fellow jurors; it only proves that his assumed leadership is limited to an administrative role.

Unlike the foreman, Fonda, the 8th juror shows traits of charisma that put the jurors under the spell of his charm. As early as the movie starts, Fonda is visually distanced from his fellow jurors. He is shot detached from them. This technical and cinematic detachment is interpreted in an actual

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distance that enables Fonda to employ his intellectual faculties to the fullest. In fact, his status as a learned architect endows him with a prestige that catches the attention of the jurors. Added to that, part of his charisma is fostered by his oratory skills. Despite his initial democratic call to discussion, Fonda is later revealed as an effective manipulator of the group. One can justifiably argue about the minimal slurs Fonda receives as a preacher of “fairy tales” and a snob “intellectual” (Lumet, 1957). However, the unfolding of the story proves that his status as a leading figure is not shaken by such statements. He decisively orchestrates the whole case in the direction he wanted since the beginning.

Fonda’s leading figure is noticed in the effective moves he makes between different rhetorical appeals to meet the requirements of different rhetorical situations. Part of the success of Fonda as a leader and an influential agent in the movie is his capacity to weigh the situation and adaptability to different conditions. Strategically, he duly employs different appeals to convince the jurors. At times, he descends as low as reminding those who love the ball that the game has not started yet. At other times, knowing that a group is essentially sentimental, he recalls of the ordeals that the accused went through, the death of his mother, and the years spent in orphanage while his father was incarcerated. In addition, Le Bon stresses the “magical” effect of “words and formulas” which “evoke grandiose and vague images in men's minds” (Le Bon, 2002). Fonda suitably plays on the slogan of justice to appeal to the group. Plus, in spite of the little effect that reason has on the crowd (Le Bon, 2002), there are times when Fonda is caught relying on logical patterns. For example, when John Fiedler fallaciously recalls the absence of evidence that would acquit the boy, Fonda assertively states that “[n]obody has to prove otherwise. The burden of proof is on the prosecution. The defendant doesn’t have to open his mouth. That’s in the Constitution. You’ve heard of it” (Lumet, 1957). This resort to logic does not serve a rhetorical function; it fosters Fonda’s prestigious background and his sharp mastery of law. Comparably, Fonda logically confronts the 10th juror when he refers to the testimony of the woman: “You don’t believe the boy. How come you believe the woman? She’s one of “them,” too, isn’t she?” (Lumet, 1957). These logical turns in Fonda’s method intervene to differentiate him from the other jurors in order to promote his leading position. In fact, Fonda’s awareness of the ineffectiveness of reason/logic on the group explains his dependence on other persuasive methods compatible with the group mind instead of adhering to intellectual abstraction. Thus, his intellectual excellence over the other jurors equips with a capacity to access the rhetorical inclinations of the group.

If analyzed thoroughly, Fonda’s arguments are revealed to be fallacious, emotive, and visual. In this holds true, Fonda would only be comparable to the other jurors. However, Fonda is conscious that his fallacious claims will not be spotted by them, and on top of that, his deployment of emotive and visual pleading would be effective on his peers. Thus, unlike the other jurors, Fonda’s use of logical fallacies is deliberate and strategic. As an example, Fonda tries to engender a reasonable about the case by resorting to a logical fallacy. Fonda expresses skepticism towards the defense counsel. For him, the appointed attorney failed to defend the accused properly:

I kept putting myself in the boy’s place. I would have asked for another lawyer, I think. I mean, if I was on trial for my life I’d want my lawyer to tear the prosecution witnesses to shreds, or at least to try. Look, there was one alleged eyewitness to this killing. Someone else claims he heard the killing and then saw the boy running out afterward. There was a lot of circumstantial evidence, but actually those two witnesses were the entire case for the prosecution. Supposing they were wrong? (Lumet, 1957)

However, Fonda’s ultimate goal is extending and projecting this skepticism onto the testimonies. Initially, Fonda sentimentalizes the context to later adopt a hypothetical situation as counterpart of

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established facts/evidence (Pirie, 2006). Fonda proceeds with this hypothetical possibility and infers another fallacy. When the oath taken by the witnesses is recalled by the 12th juror, Fonda insists that they are “only people [and] [p]eople make mistakes” (Lumet, 1957). To extend his fallacious statement, Fonda intensifies his hypothetical reasoning with the Genetic Fallacy (Pirie, 2006). Without concrete evidence offered to his fellow jurors, Fonda inserts a reasonable doubt by claiming that since humans are prone to error, the two witnesses might be wrong.

In other instances, Fonda is captured executing other fallacious plans. Aware of the weight of the facts being listed in court, Fonda digresses to interrupt the communicative process. For example, he dwells on the difference between “punching” and “slapping” and neglects the details referred to in court. This weakens the opponent’s arguments and disturbs the channel of debate. The same digressive strategy is noticed when the motive of the murder is stated. Logically, the maltreatment the boy received from his father constitutes a valid motive for murder. Instead of examining this element with the jurors, Fonda digresses by stating that the jurors are “supposed to decide whether or not the boy on trial is guilty beyond a reasonable doubt. We’re not concerned with anyone else’s motives here. That’s a job for the police” (Lumet, 1957). This digression indicates Fonda’s Selective Bias (Gula, 2002). This selective attitude is more apparent in another scene. To divert the attention of the group, Fonda outlines the background of the father. He lists his frequent violations of law, gambling, and alcoholism. Certainly, Fonda replicates facts mentioned in the court. However, his approach remains fallaciously selective and suppressive of other details. Undoubtedly, based on the criminal profile of the father, he might have been killed by any person he formerly abused. Still, Fonda ignores another possibility among which he listed intentionally, that of being killed by the boy. This suppressive attitude is shown whenever Fonda finds the situation to be stronger than his arguments. The same digression is noticed when Fonda refutes the claims of the other jurors by relying on the fallacy of Common Sense (Pirie, 2006). To further dismantle the possibility that the neighbor heard the boy threatening his father, Fonda tries to convince the jurors that the phrase is commonly used without being necessarily intended. Fonda succeeds in impressing the jurors and imposing his commonsensical belief when he provokes a juror and manipulates him into uttering the selfsame statement. A similar suppressive plan is noticed when the abusive treatment of the boy is mentioned as a motive. For him, the “boy has been hit so many times in his life that violence is practically a normal state of affairs for him. [Fonda could not] see two slaps in the face provoking [the boy] into committing murder” (Lumet, 1957). This oversimplification is psychologically inconsistent. Even if the boy has been exposed to violence intensively, the incident might be an episode of eruption for him. However, added to the intellectual inferiority that hinders the jurors from a logical perception of Fonda’s strategies and claim, his charisma restrains any coherent reflection that detects his fallacious discourse.

Despite the abundance of instances in which Fonda relies on Logical Fallacies, one should consider that Fonda does not exclusively depend on this fallacious discourse to influence the jurors. Even if the efficacy of the fallacies employed is frequently observed on jurors, Fonda’s deployment of visual performances change the course of events in the movie radically. The decisive nature of those performances is in accordance with Le Bon’s remark that groups think in images and “are only to be impressed by images. It is only images that terrify or attract them and become motives of action” (Le Bon, 2002). Within the movie, Fonda enfeebles the load of evidence via performative shows. Intelligently, when jurors claim the uniqueness and rarity of the knife, Fonda does not attempt to verbally discuss this point with them. Instead, he brings a similar knife and confidently sticks it into the table next to the other classified knife. This is followed by an uproar that indicates

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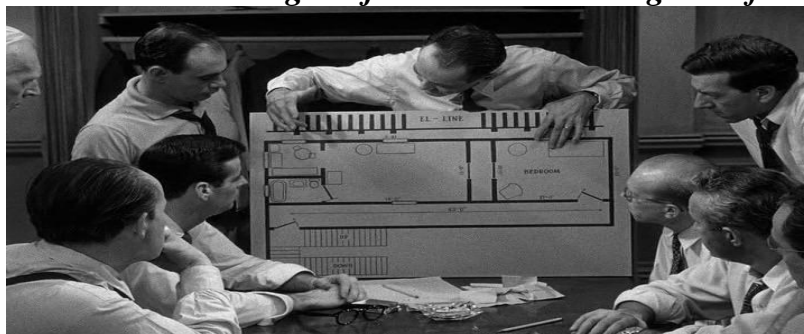
how this visual performance impacts them. After this scene, the steady group is finally behaving like a crowd. The show exposes an unprecedented collective reaction that wholly conforms to the profile of the monstrous and servile crowd. A similar reliance on the group's visual faculty is executed to refute the legibility of the old man's testament and engender a reasonable doubt. Fonda requests a diagram and replays the scene in front of the jurors. After examining the diagram and locating the stairs, rooms, and hallways of the building, Fonda theatrically recreates a scenario to test and time the testimony of the old man. After this visual performance, most jurors become persuaded about the perjury of the witness. It is worth noting that Fonda would have failed to influence the other jurors even if this particular argument seems valid and logical. An old man who drags his leg is unable to rapidly make it to his door after hearing the body of the father collapse. The sudden shift to 6-6 votes after this performance proves the genius of Fonda as a manipulator of the group and the impact of the visual associations on the group. Fonda orchestrates another visual demonstration to illustrate the boy's incapacity to knife his father. Once the 2nd juror hints at the differences in height between the father and the son, Fonda seizes the opportunity and performs a persuasive visual demonstration to advance the improbability of murder. Fonda accepts to be the guinea pig for the demonstration. Once more, the skilled demonstration on how knives are handled with the assistance of the 5th juror further refutes the possibility of murder and indicates the visual faculty of the crowd that Fonda uses exhaustively. To conclude, having outlined the profile of the jurors and the influence of the leader, the guarantee of an intact achievement of justice becomes questionable. The malleability of the jurors consequently results in an impaired legal system that preaches well-functioning. Although expected to perform independent tasks, the jurors are, throughout the movie, subject to the charismatic figure of Fonda.

Figure N° 3. Switch knives being compared



Source: (Lumet, 1957)

Figure N° 4. Fonda instructing the jurors about the diagram of the building



Source: (Lumet, 1957)

Figure N° 5. Fonda and Cobb replaying the scene of the murder



Source: (Lumet, 1957)

3. Violence(s) and the American Legal System

Twelve Angry Men has always been perceived as a sharp critique of the American legal system. At a surface level, this conjecture seems valid. The movie exposes the perils surrounding the American system, the racial segregation, and the probability of an unfair treatment of a boy whose rights are preserved by the constitution. However, the transcendence of those risks with the contribution of Henry Fonda proves otherwise. In fact, the movie praises and immortalizes the functioning of the legal system instead of unmasking its shortcomings. It offers a scenario in which the jurors strive violently to achieve justice. This is offered in the movie with an air redolent of an unprecedented Herculean treatment while it is, in fact, a recurrent case in the America. From the general profile of the jury outlined in the previous section, the violent attitude of the jurors is an insurmountable consequence of the collective mind. Left without a reflective logic and sense of “invincibility”, a jury naturally resorts to violence (Le Bon, 2002). However, it is not this inexorable repercussion known to everyone acquainted with Crowd Psychology that deserves attention in this context. The ties that this violence has with the system merit scrutiny. Even if the character of the acts executed in the movie suggests a radical turmoil, they in fact work against this suggestion. The ‘law-preserving’ nature of *Twelve Angry Men*, concealed in a sharp critique, is made apparent and better explained if one reflects on the dynamics of violence.

From its title, the movie suggests that violence is an omnipresent concept and practice pivotal in the dramatization of the events. The process of deliberation fulfills the promise of the title in expressing the anger of the jurors; it captures them exploring all routes to voice this violence/anger. The deliberation exposes the audience to fights, yells, intimidations, slammed doors, fists on the table, insults, and racial prejudices. However, this violence immerses the audience into what Žižek identifies as a Subjective Violence “directly visible” and performed by a clearly identifiable agent” which eclipses a far more threatening violence inherent to the system itself (Žižek, 2008). Žižek divides violence into a “triumvirate” that includes visible Subjective Violence, Symbolic violence inherent to language, and Systemic/Objective violence. The movie puts forward how this triad functions. In addition, by its implicit celebratory stance towards the legal system disguised in a sharp critique, the movie becomes part of whole scheme of Systemic Violence. Therefore, if one intends to properly explore these claims in *Twelve Angry Men*, one must go beyond the visible type that blurs other forms of violence. The movie is generally perceived as a critique to the legal system because it is only exhibits Subjective Violence. This deceitful critical positioning of the movie is perceived through comparison to a “non-violent zero level” and

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therefore, it is considered as a perturbation of the "normal," peaceful state of things" (Žižek, 2008). While this Subjective Violence deviates from the norms, objective violence "is precisely the violence inherent to this "normal" state of things. Objective violence is invisible since it sustains the very zero-level standard against which we perceive something as subjectively violent." (Žižek, 2008). In other words, the acts of the jurors are violent because they signal a departure from the normative background; the Objective Violence inherent to the system is not spotted because it is dormant and this estate distorts its perception as violent.

Thus, if one is determined to assess an account of violence, one should work against the suggestions that animate Subjective Violence. The movie magnifies the narrative of a Puerto Rican boy to be sent 'unfairly' to the electric chair. Certainly, the life of an 'innocent' boy is worth defending. However, one should be attentive to the threat of the "traumatic impact" of violence that nourishes Subjective Violence, engenders a pathetic attitude towards the victim, and ultimately impedes any critical reflection (Žižek, 2008). Instead, one should put at bay the amplified impact of the story that inspires an alarming call for immediate action and justifies it. Like Fonda, those who find the movie to be critical of the system fail to detach themselves from the inducement suggested by the "SOS call" that shapes subjective violence and "distract[s] our attention from the true locus of trouble, by obliterating from view other forms of violence and thus actively participating in them" (Žižek, 2008). This fake immediate urgency requiring an immediate action takes the shape in a temptation to achieve justice. While Objective Violence is abstract and disseminated, which facilitates its concealment; the narrative of the boy is objectified and materializes a concrete crisis. Fonda, instead of reflecting critically on the intricacy of the process, he does not counter the temptation and embark in a journey to fight injustice and achieve justice. Therefore, his acts, generally perceived as heroic, only contribute in blurring the vision about the real source of violence in the movie. In addition, this fake immediate urgency holds the group together. Fonda and his fellow jurors are mobilized through the prospective perils that threaten justice. Even if immersed in their biases, after all, the jurors want to achieve justice and are afraid that a guilty person would be exonerated. They are mobilized through the fear of the legal system falling apart. The preservation of justice and immediate action is primordial in the movie; it turns into "mythic threat", a unifying bond that retains "a permanent state of urgency (Žižek, 2008). Consequently, with the existence of an imminent danger, the frailty of the system remains unidentifiable. By orchestrating an urgent reaction against the form of violence that is identifiable, every other quest is suspended until justice is delivered. Moreover, part of the process of delaying the unfolding of Objective Violence resides is what Žižek calls the "hermeneutic temptation", an interpretative attempt at locating "some deeper meaning or message hidden" in violent acts (Žižek, 2008). Those who perceive the movie as a sharp critique fail to see that the jurors' acts in *Twelve Angry Men* are partly symptomatic of a collective mind inclined to violence. Instead, they engage in a search for a deep meaning to rationalize the idea of justice in the movie.

There is another violent dimension inherent to narrative of the boy. The origins of the boy intensify and accelerate the legitimacy of defending a vulnerable boy who would have fewer chances with another jury. Racism plays a major role in supporting the critical stance of the movie. However, looked at from a different angle, the anti-racist agenda professed in *Twelve Angry Men* only perpetuates the social gap. According to Žižek, discursive "Political Correctness" inhibits one from stating factual proofs about the Other/Neighbor; it falsifies reality and maintains the implicit patronizing tone (Žižek, 2008). The same is observed in the movie. The racist biases draw the contours of a collective image about the Other/Neighbor in America. By adopting a politically

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correct strategy, the movie tries to eradicate, especially with Fonda's transgression of legal norms (Weisselberg, 2007; Papke, 2007; Vidmar, Beale, Chemerinsky, & Coleman Jr, 2007), a fact that remains plausible: the rate of criminality is higher in poor neighborhoods. In doing so, instead of remedying this racial image, by admitting this fact and leaving the case be determined by law, the movie extinguishes a menacing fact. In spite of a seemingly sympathetic intent, the finality of this plan is to glorify the system. By being fair and just to the boy, the movie tries to negate what is believed about the 'Other' among Americans and remains politically correct. Simultaneously, it uproots the location of the cause that engenders racial differences and high criminality. If one examines the possibility of the crime, and admits that criminality is higher among the inhabitants of slums without assuming any essentialist correlation, one will reach a stage of reflection on the reasons behind those symptoms. For such a reflection would not stop at the levels of symptomatic Subjective Violence but rather engages in a quest for the objective locus of violence. A direct implication associated with the consideration of the accused as the Other in the movie is linked to the process of "Culturization". Žižek spots the "culturization of politics" as causal discursive strategy proposed to several political and social problems. Instead of denuding issues of inequality, exploitation, injustice, etc., and instead addressing them as they are, such issues are "naturalised and neutralised into "cultural" differences" (Žižek, 2008). The same applies to the idea of delivering justice to the 'Other'. The movie portrays the system as based on universal standards that contain everyone, an intact legal system that tolerates cultural and ethnic differences. The whole cinematic product revolves around the "Love thy brother" motto (Lumet, 1957). At the end, the recipient of the movie would only recall how justice was achieved despite the challenges of cultural differences.

Furthermore, the focus on Subjective Violence concurrently eclipses and delays an answer to a cardinal question in the movie: What if Fonda was not among the jurors? An answer to this deferred question obscured in the background of immediate urgency/action exposes the frailty of the legal system. The jury system, which obeys the dynamics of group, appoints a collective mind prone to manipulation and incapable of sound judgment to decide on delicate matters requiring adept judgment and is dependent on the benevolence of agents like Fonda. Had Fonda been absent or less charismatic as a leader, the fate of the accused would have been determined differently. To clarify this point and remain within the scope of the movie, one should reflect on the possible substitute to Fonda. Anyone acquainted with Crowd Psychology would elect juror 4 as the ideal leader. Among the eleven men present in the room, E. G. Marshall is the most prestigious and charismatic person who could compete with Fonda's appealing profile to the group. It is worth mentioning that this juror is the last to be convinced. However, even if this proposal is contested, it has initially been discussed that all jurors entered the room with a biased attitude towards the case, and therefore, any of them would not have judged the case in favor of the boy. Therefore, Fonda's participation in the deliberation and his immersion within the realm of fake immediate urgency do not disturb the system; they only camouflage the Objective Violence at play that relies on such acts to remain unidentified. Thus, by avoiding an answer to the aforementioned question, and by celebrating Fonda's intervention, the movie supplements the enterprise of Systemic/Objective violence and preserves its veiled status instead of being a sharp critique. The violence left noticeable and furiously combated by Fonda is a digression; it hinders one from reflecting on the aforementioned primordial question.

Another form of violence further sustains the Objective Violence. From the prism of Symbolic/Linguistic violence, the movie is framed within the frontiers of communication and debate since it is dramatization of a jury deliberation. This communicative process is primarily

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achieved through language and celebrates its democratic value. To enter the linguistic realm and conform to the parameters of debate and discussion necessarily entails this view. The deliberation process gives the illusion that this resort to debate is a “medium of reconciliation and mediation, of peaceful coexistence, as opposed to a violent medium of immediate and raw confrontation” (Žižek, 2008). The ideal holds that the “entry into language and the renunciation of violence are often understood as two aspects of one and the same gesture” (Žižek, 2008). However, the legal system hides its imperfections behind the debate and the communication taking place. So, even if one disregards the verbal violence easily detected among jurors, the communicative dimension participates in perpetuating the system. Added to that, the democratic value of language is deconstructed if one advances a step further within this linguistic realm. Drawing on Hegelian and Lacanian observations, Žižek opines that linguistic use and attributions are inherently violent. “Language simplifies”, “dismembers”, and destroys the “organic unity”, the designated object/subject (Žižek, 2008). For him, communication is “fundamentally asymmetrical”, it “does not involve a space of egalitarian intersubjectivity. It is not “balanced.” It does not put the participants in symmetric mutually responsible positions” (Žižek, 2008). In the movie, the debate puts the Neighbor in an inferior location while the jurors are there to decide his fate. Not only that, it gives Fonda a primal status since he is never an equal to his fellow jurors. Thus, the very medium of tolerance and reconciliation turns into an expressive tool of violence. If one goes beyond the surface level of Subjective Violence and contemplates this notion from a symbolic perspective, we see the democratic process of deliberations inherently violent.

Fonda’s transgression of legal conventions gives us the illusion of a Divine Violence being accomplished. This is another reason why the movie is perceived as a sharp critique. However, this illusion is deconstructed once “Divine Violence” is clarified. One of the characters of divine violence is the accumulation of injustices that would form a “capital of rage”, and once a divine plan is effectuated, a satisfaction to this rage ensues (Žižek, 2008). However, through the process of deferring the unveiling of Objective Violence, the accumulation of a capital of rage is delayed, and therefore, the satisfaction is never achieved. Undoubtedly, injustice is present in the movie. Still, it never culminates to reach a capital of rage. The anger/violence of the twelve jurors is confined to the deliberation room. This position is at home with the idea that the system deploys all means, including cinema, to sustain itself and delay any destructive plan. In addition, Pure/Divine Violence is “sovereign”; it is neither a “personal pathology” “nor a crime (or its punishment)”, and is deprived of any sacrificial, aesthetic, or ethical dimension (Žižek, 2008). The movie would be considered as a sharp critique indeed if the violence exhibited in it amounts to those traits. However, one sees all acts of violence performed within the movie as total opposites to Divine Violence. Some jurors exhibit violence out of unconscious ‘pathological’ urges. Others frame their acts on the basis of an ethical stimulus and want to punish the accused. Hence, the movie does not attain the stage of Divine Violence. Moreover, Divine Violence follows the principles of “punish”, “forget”, and “forgive” (Žižek, 2008). This triplet is curbed in the movie. Fonda’s intervention beyond law raises questions about the credibility of the boy’s innocence. With the blatant legal evidence that Fonda defies, the accused boy is acquitted via the mercy of the system. The validity of his innocence is further diminished with Fonda’s hesitancy. Fonda is neither certain nor explicit about the innocence of the boy; he is captured in a pensive temper in multiple shots. Therefore, the accused is trapped within the territory of uncertainty. Instead of being punished, forgiven, then his crime is forgotten, the boy is subjected to the “oppressive” nature of mercy (Žižek, 2008). The

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accused is forgiven but his crime is not forgotten; he and his community remain haunted by this crime.

A reflection on the means and ends from a legal perspective would further clarify Divine Violence and contrast it to the one displayed in the movie. In his “Critique of Violence”, Benjamin offers a background on the interplay between means and ends in legal theory. While Natural Law considers violent means as unproblematic if employed for just ends, Positive Law insists on the legality of means (Benjamin, 1999). The violence in *Twelve Angry Men*, and precisely Fonda’s violent acts, seem to echo the stance of Natural Law. The violation of legal norms are justified by the legality and accuracy of the end. Therefore, this choice determines the indefectibility of the end and sustains the narrative of justice. Benjamin opines that “all violence as a means is either lawmaking or law-preserving” (Benjamin, 1999). The system, however, only repudiates such acts when they become a threat to law itself: “The state, however, fears this violence simply for its lawmaking” character (Benjamin, 1999). The violence in *Twelve Angry Men* is not sanctioned for it never reaches that status of “lawmaking”. Fonda’s ‘illegal’ means do not menace the system but rather sustain it. Hence, if Fonda’s acts do not posit a threat of “lawmaking”, then they must fall under the “law-preserving” character, and therefore, cannot amount to a sharp critique. Fonda’s acts can be compared to the military use of violence “as a means to the ends of the state”, not to generate a new law but rather to preserve it (Benjamin, 1999). This analogy can be extended to the institutionalization of Cinema. Those traits are not traced in the movie. More importantly, the Subjective Violence of Fonda and his fellow jurors contradict the aforementioned aspects. The movie and the violence dramatized in it are law-preserving and are attributed a deep meaning to mystify the system. As already stated, the view that *Twelve Angry Men* is critical of the American is only accepted within the frontiers of a pure “Divine Violence”. However, the movie lacks another essential trait of this latter, its “law-destroying” nature (Benjamin, 1999). Fonda fails to seize the only closest opportunity that would amount to a Divine Violence, and which oddly revolves around inaction. Žižek, argues that “the first gesture to provoke a change in the system is to withdraw activity, to do nothing” (Žižek, 2008). For him, there are times when “zero is not the “cheapest” state of a system, so that, paradoxically, “nothing” costs more than “something.”” (Žižek, 2008). Fonda’s predicament is not his inaction but rather action, “not passivity, but pseudo-activity, the urge to “be active,” to “participate,” to mask the nothingness of what goes on” (Žižek, 2008). Paradoxically, had Fonda retreated and resisted the temptation of immediate urgency, of attributing a deeper meaning, had he abstained from acting beyond law, it would have been considered as an act of Divine Violence that exposes the system. The *bras de fer* between Fonda the jurors is an impotent act of violence that belongs to the realm of pseudo-activism. However, Fonda’s abstinence should not be taken as a refusal to vote. Legally speaking, Fonda would only be replaced by an alternate juror, an option that neither serves the dramatic construction of the movie nor the sphere of Pure/Divine violence. The abstinence that would have been taken a disturbing act would be abstinence from following the leads of Subjective Violence, curbing the temptation of the “SOS call”, refraining from transgressing law, and refusing the “culturization” of a legal case. If Fonda remained openly within the parameters of legal terms, instead of this pseudo-activity, the Systemic Violence would not have been blurred. The audience of the movie, then, would be capable of incriminating the system. However, this possibility is aborted. In *Twelve Angry Men*, one sees a violence tailored to the needs of the system; it is a systemic instrument that indoctrinates and operates within a legal framework with a precise finality. Hence, it is dispossessed of basic requirements of Divine Violence. Fonda’s acts are framed within a shape of opposition and reaction.

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They show the interplay between what Žižek calls “false anti-violence” and “emancipatory violence”. While his contribution shaped the general perception of the movie as a sharp critique, it could only be considered as an act without an emancipative dimension. The violence displayed in the movie suggests an emancipatory route from shackles of racism and injustice. However, it is an ‘impotent’ violence that lacks the ‘Divine’ character. In fact, it is quasi impossible to disturb a system by operating from within. Thus, the acts of Fonda can only be perceived from the prism of the absurd and derision. Fonda, while engaging in a fight against the system, he ends up perpetuating and mystifying it.

Conclusion:

It would be pretentious to claim that this paper falls within a revisionist scheme to the American legal system for such an endeavor requires academic ventures different from the nature of this study. It also should be noted that the ideas discussed in this article neither questioned the innocence of the accused nor asserted his innocence. This paper ponders, modestly but seriously, on a classic of American Cinema from a less discussed perspective. It indicated contradictions between the elevated status of the jury and its reality. While the Jury System, the backbone of American Democracy is often portrayed as an independent legal institution, the perspective adopted in this paper showed how jurors are trapped within the realm of unconscious and racial biases. This collective symptoms located jury deliberations under the spell and strategies of a leading figure. Despite its perception as a critique to the American system, *Twelve Angry Men* was shown as a cinematic product that sustains the system instead of disturbing it.

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