



IRAQI
Academic Scientific Journals



العراقية
المجلات الأكاديمية العلمية

ISSN: 2663-9033 (Online) | ISSN: 2616-6224 (Print)

Journal of Language Studies

Contents available at: <https://jls.tu.edu.iq/index.php/JLS>



The Jury as Lawmaker: Legal Realism and Deliberation in Reginald Rose's *Twelve Angry Men*

Kawthar Fadhil Wahab*

University of Baghdad, College of Education for Women

kawthar.wahb2303@coeduw.uobaghdad.edu.iq

&

Asst. Prof Maysoon T. Muhi (PhD)

University of Baghdad, College of Education for Women

maysoon.tahir@coeduw.uobaghdad.edu.iq

Received: 17/5/ 2025, Accepted: 29/6 /2025, Online Published: 30/9/2025

Abstract

This paper examines *Twelve Angry Men* (1954) by Reginald Rose through the lens of Legal Realism. It focuses on the play's significant critique of legal formalism and advocates for legal adaptation to real social realities. It aims to examine the portrayal of justice in the play and how the events and characters align with the thought that different factors shape law. It demonstrates how the play contributes to contemporary debates on justice and reform in the legal system. Karl Llewellyn's theory of Legal Realism is central to understanding events in a jury room, which consists of twelve jurors. The play illustrates how a legal realist perspective, particularly in criminal cases, is more closely tied to real-world issues than it is to abstract theoretical concepts. Legal Realism challenges the rigidity of the legal system and advocates for a dynamic one that evolves in response to societal needs. The results show how the play exemplifies the critique of

* **Corresponding Author:** Kawthar Fadhil Wahab, Email: hafedh.shabeb@gmail.com

Affiliation: University of Baghdad - Iraq

© This is an open access article under the CC by licenses <http://creativecommons.org/licenses/by/4.0>



traditional assumptions and advocates for reforms that acknowledge the law's ethical and social dimensions, ensuring that justice is not a theoretical ideal but an attainable reality.

Key Words: Bias, Juror, Law, Legal Practitioner, Legal Realism, Realist, *Twelve Angry Men*

هيئة المحلفين بوصفها مشرعاً قانونياً: الواقعية القانونية والتشاور في مسرحية اثنا عشر رجلاً

غاضباً لريجينالد روز

المستخلص

يواجه تناول هذه الورقة مسرحية اثنا عشر رجلاً غاضباً (1954) لريجينالد روز من خلال منظور الواقعية القانونية. وتركز على النقد الجوهرى الذي تقدمه المسرحية للنزعة الشكلية القانونية، وتدعو إلى تكييف القانون مع الواقع الاجتماعي الفعلي. وتهدف إلى دراسة تصوير العدالة في المسرحية، وكيف تعكس الأحداث والشخصيات الفكرة القائلة بأن عوامل مختلفة تساهم في تشكيل القانون. كما تُبرز كيف تسهم المسرحية في النقاشات المعاصرة حول العدالة والإصلاح في الأنظمة القانونية. تُعد نظرية الواقعية القانونية لكارل ليويلين محورية لفهم ما يجري في قاعة المداولات التي تضم اثني عشر محلفاً. وتُظهر المسرحية كيف أن تبني وجهة نظر واقعية قانونية، خاصة في القضايا الجنائية، سيكون أكثر ارتباطاً بالقضايا الواقعية بدلاً من أن يكون منفصلاً عن احتياجات المجتمع الفعلية. إذ تتحدى الواقعية القانونية الجمود في النظام القانوني، وتدعو إلى نظام ديناميكي يتطور استجابةً للاحتياجات المجتمعية. وتُظهر النتائج كيف تجسد المسرحية نقداً للفرضيات التقليدية، وتدعو إلى إصلاحات تعترف بالأبعاد الأخلاقية والاجتماعية للقانون، لضمان أن تكون العدالة واقعاً ممكن التحقيق، لا مجرد مفهوم نظري.

الكلمات المفتاحية: التَّحْيُزُ عضو هيئة المحلفين، القانون، الممارس القانوني، الواقعية القانونية، الواقعي، اثنا عشر رجلاً غاضباً

1. INTRODUCTION

This study presents an interdisciplinary integration of Legal Realism with literary analysis of Reginald Rose's *Twelve Angry Men*, a courtroom drama that continues to resonate in legal and cultural discourse. This play has attracted extensive scholarly

attention for its treatment of democratic ideals, rhetorical strategies, and jury deliberation processes; however, its value as a narrative that dramatizes and anticipates core tenets of Legal Realism has not been sufficiently examined. Legal Realism posits that judicial decisions are influenced not merely by abstract legal rules, but by the individual experiences, intuitions, and social context of the decision-makers.

This paper argues that *Twelve Angry Men* presents a dramatized case study of the very dynamics that infiltrate legal reasoning, including personal prejudice, class tension, emotional impulses, and group pressure, and affect the pursuit of justice. By analyzing the twelve jurors as legally untrained citizens whose decisions are shaped by subjective realities, this study offers an original contribution to both literary and legal scholarship. It highlights the ways in which literature can serve as a reflective space for testing and visualizing legal theories in practice. Moreover, this paper contributes to the broader law and literature movement by positioning the courtroom not merely as a setting for a legal procedure but as a human space fraught with moral ambiguity, ideological conflict, and uncertainty.

2. THEORITICAL FRAMEWORK

Legal Realism emerged in the late 19th and early 20th centuries as a challenge to traditional legal formalism, which views law as objective and determined solely by principles applied systematically and predictably. Legal Realism presumes that the law is not a fixed set of rules, but a dynamic framework shaped by various social and psychological factors. In his book, Richard A. Posner states:

"For-malist" can mean narrow, conservative, hypocritical, resistant to change, casuistic, descriptively inaccurate (that is, "unrealistic" in the ordinary-language sense of the word), ivory-towered, fallacious, callow, authoritarian-but also rigorous, modest, reasoned, faithful, self-denying, restrained. "Realist" can mean cynical, reductionist, manipulative, hostile to the law, political, left-wing, and epistemologically naive but also progressive, humane, candid, mature, and clear-eyed (Posner 1986, pp. 180-181).

Formalism adheres to legal rules without considering their real-world consequences, making them seem narrow, resistant to change, and disconnected from practical concerns. In contrast to formalism, Legal Realism emphasizes the practical aspects of law, rejecting

the abstract application of law that overlooks its operation in society. The legal realist approach is more humane and clear-eyed, suggesting a moral and socially responsible approach to law. In her paper, Hameed discusses how the loss of social and legal recognition profoundly affects those who have been oppressed (Hameed, 2019, p. 22). Legal Realism is an approach that provides a critical framework for understanding law, emphasising the importance of social context, the need for practical study, the role of power, and the pragmatism required to address real-world issues. It seeks to move beyond doctrinal formalism to create a more adaptable understanding of law (Posner, 1986, pp. 180-181).

Karl Llewellyn's theory of Legal Realism stresses the idea that the legal process is influenced by factors beyond written laws, underscoring the role of real-world contexts. One of Llewellyn's key ideas is that legal rules, while important, are not sufficient in determining outcomes of legal disputes. He argues that the law cannot be fully understood through doctrinal texts alone, but must be interpreted in light of the specific circumstances and facts of each case. This idea was a significant departure from the formalistic opinions that treat legal rules as rigid and universally applicable. Llewellyn suggests that legal practitioners, in practice, make decisions based on the facts of each case, often allowing room for personal discretion in their interpretation of the law. This viewpoint challenges the traditional view that law is simply the application of abstract rules, stressing instead the importance of context and circumstances in judicial reasoning (Llewellyn, 1930, p. 16). The law, for Llewellyn, is a practice and should be applied in action, not by abstract rules.

Llewellyn's emphasis on practical techniques for applying legal rules is a very significant issue in his theory. He points out that the law is not just about written texts, but also about the habits and practices that legal practitioners use to apply and interpret those rules in real cases. He suggests that unwritten customs and real-world behavior are important to understanding and applying the law. He encourages the ability to see beyond formalistic legal language and delve deeper to understand how the law works in practice (Llewellyn, 1930, p. 24). He illustrates Legal Realism's rejection of formalism and how

the law is a dynamic process influenced by the traditions and behaviours of legal practitioners.

Llewellyn perceives the law as a dynamic, human-centred process influenced by factual experiences, social contexts and psychological factors. He proposes that law, as written in books, often diverges from the actual rules applied in practice by legal practitioners in the courtrooms. The real 'rules' in practice are often shaped by non-legal factors, such as the personal biases of the legal practitioners, the interpretation of facts, and the social context surrounding the case. He also refines his position by distinguishing between the predictability of legal decisions for the public versus legal practitioners. For legal practitioners, legal certainty means the ability to expect consistent and predictable legal outcomes based on existing case law and established legal principles. However, for the public, legal certainty is more closely tied to the alignment between legal norms and the prevailing social norms. This distinction supports Llewellyn's emphasis that the law is not a monolithic system of rules and principles, but a living entity influenced by society's evolving norms and values (Tonkov, 2019, pp. 119-120). This opinion underscores his rejection of the idea that legal predictability can be solely grounded in an abstract system of written laws and rules.

Understanding the true nature of law requires an investigation into how law functions in action as opposed to analyzing what is written in legal texts. Law in books refers to formalistic doctrines and rules that are presented as the official version of law. Formalists focus heavily on these texts, assuming that legal outcomes can be determined by applying the rules to the facts of the case. On the other hand, law in action refers to how law is applied and interpreted in practice by judges, lawyers, and other legal practitioners in the real world. Legal realists argue that written rules do not reflect the complexities involved in legal decision-making. Factors such as judicial discretion, social context, and the biases of individual legal practitioners play significant roles in shaping legal outcomes (Angelosanto, 2023, p. 7). The application of legal rules is not always straightforward or uniform, but human behaviour, social values, and practical realities influence it.

The legal realists call for Law reform because they view law as a social instrument based on its consequences. They adopt this moral perspective, critiquing the notion of

mindlessly following legal rules without questioning their ethical implications. In this view, legal practitioners lose their position as moral agents if they treat legal rules as completely binding without thinking whether they are fair or unfair (Green 1968, 1971). In her paper, Kadhim presents the idea “that individuals have several morally significant duties, which may conflict in real-life situations” (Kadhim, 2025, p. 217). If legal practitioners reject the idea of engaging with moral reasoning and mechanically apply the law, they become mere executors of the legal system rather than thinkers who weigh the ethical consequences of their rulings. This perspective advocates for a practical and moral approach to law, making it socially relevant and applicable to real-world experiences.

The legal realists are deeply influenced by pragmatism, an intellectual movement that originated in the United States in the late 19th and early 20th centuries. Pragmatism prioritizes experience over doctrine and places importance on conducting practical and helpful research. Realists believe that knowledge is fundamentally related to human actions and experiences. John Dewey is a prominent pragmatic figure who believes that reality has to be experienced. The pragmatists argue that a proposition’s meaning is to be found in the empirical consequences of accepting it. The legal realists, as pragmatists, advocate for ethical considerations that prioritise the consequences of legal decisions. The ethical aspects depend not on deduction or abstract moral theories but on understanding the social context and outcomes. They do not dismiss the significance of doctrines and legal principles, suggesting that legal practitioners must apply legal rules based on their influence in the real world. Dewey suggests that legal practitioners must engage with real-world inquiry to know the purpose, circumstances, or consequences. They also strive to make the legal rules more practical and realistic, enabling people to expect more accurate legal decisions based on real-life circumstances. This pragmatic approach is linked to a broader vision of law as a tool for achieving social ends, one that requires constant evaluation of its effects and purposes (Shaffer, 2018, pp. 5-6). The pragmatic dimension of Llewellyn’s approach highlights the flexibility and adaptability of law, which is seen as an evolving practice shaped by experience. Legal realists advocate for a legal system that is responsive to real-world problems and social realities, rather than one that remains overly theoretical or rigid. For them, law is a process of

continual adaptation and revision, and legal decisions should be made with consideration of both present circumstances and future implications.

3. LITERATURE REVIEW

The aim of Jesus Alcolea's article, "Teaching Argumentation Theory and Practice: The Case of 12 Angry Men" (2011), is to analyze *Twelve Angry Men* through the lens of argumentation theory and rhetoric, specifically focusing on how it employs the strategy of argument by example. This article aims to demonstrate how the play not only engages with legal deliberation but also promotes critical thinking, collaborative reasoning, and the transformation of beliefs through an argumentative process. This study is significant for its exploration of how a fictional narrative can be used to teach principles of logic, persuasion and moral judgment in a real-world context. By using *Twelve Angry Men* as a pedagogical tool, this study underlines its relevance as a model for understanding the dynamics of democratic decision-making and the critical examination of prejudices. The findings of this study highlight that *Twelve Angry Men* serves as a persuasive example of how argumentation and reasoning can affect individuals' beliefs and decisions. Furthermore, it underscores the importance of visual rhetoric in supporting its themes, suggesting that the narrative structure is intricately linked to its moral and philosophical messages. Ultimately, it encourages viewers to consider how collective deliberation and critical inquiry are essential to the pursuit of justice.

In his article "*What We Can Learn From 'Twelve Angry Men'*" (2012), Brian Bornstein aims to examine the continued relevance and educational value of the play in the context of modern jury practices. As both a jury researcher and observer of the play's adaptations, he analyzes how *Twelve Angry Men* functions as a cultural archetype for a jury service in America, highlighting its strengths as well as its deviations from contemporary legal norms. This study is significant because it demonstrates the play's ability to provoke thought about justice, social influence, and the deliberation of process, even more than 50 years after its debut. It also illustrates how the play has been adapted to reflect societal changes, such as increased racial and gender inclusion, making it a valuable tool for understanding both historical and contemporary jury dynamics. This study finds that while the play presents an idealised and dramatised version of jury

deliberation, many of its core themes—such as the impact of personal biases, the power of social persuasion, and the significance of reasonable doubts—remain accurate and instructive. Bornstein suggests that changes in jury size, decision rules, and demographic composition have altered the courtroom landscape; however, the fundamental issues of fairness, conscientious consideration, and human fallibility portrayed in the play continue to resonate with modern audiences and scholars alike.

In his article, *"Twelve Angry Men on Television and Film"* (2017), Raw aims to reconceptualize adaptation by examining the interplay of remediation and transmediality in the 1954 Studio One teleplay and the 1957 feature film, foregrounding the social, industrial, and cultural forces that shaped both versions. His study is significant because it historicizes media convergence by demonstrating that transmedial practices long predate the digital era, challenges the narrow fidelity paradigm by advocating for context-rich, process-oriented analyses and models as a methodology that treats each version as a coexisting multimedia text. Raw finds that the film expands the original 60-minute teleplay into a 90-minute cinematic work through on-location shooting, star-driven performances, dynamic camera techniques, and sophisticated cinematography, and shows how industrial imperatives, such as United Artists' insistence on a more sentimental ending, along with cross-industry collaboration in development, casting, and distribution, were employed.

In his article, *Reginald Rose and the Journey of 12 Angry Men* (2022), Hon. Henry S. Cohn reviews Phil Rosenzweig's biography, *Reginald Rose and the Journey of Twelve Angry Men*, highlighting the life and career of Reginald Rose, the playwright behind *12 Angry Men*. Cohn highlights Rose's emphasis on social issues, remarkably civil and labour rights, during television's "golden age." He details the evolution of *Twelve Angry Men* from a 1954 live television broadcast to its 1957 film adaptation, noting its initial commercial struggles in the U.S. and subsequent acclaim in Europe. Cohn underscores the film's enduring significance as a portrayal of the American judicial system's strengths, resonating with legal professionals and audiences alike.

The current study will explore the intersection of law and theatrical staging in *Twelve Angry Men*, examining how this play dramatizes legal issues, ethical dilemmas, and the

pursuit of justice. Through a detailed analysis of techniques, dialogue, and characters, this paper will investigate how theatrical representations shape audience perceptions of the legal system. By focusing on staging as a narrative and symbolic tool, this study will highlight how the play critiques legal structures, applying the theory of Legal Realism to the text. It also exposes biases and engages viewers and readers in broader legal debates. This analysis will offer insights into the power of theatre as a medium for legal discourse and social change.

3.1 . The Limitations of the Study

While this paper offers a focused application of Legal Realism to *Twelve Angry Men*, it is subject to certain limitations. Firstly, the analysis is limited to a single play, which may restrict the generalizability of its conclusions to broader representations of law in literature. Secondly, the study is interpretive and does not incorporate empirical data or comparative legal text, which could have provided a more comprehensive understanding of Legal Realism in practice. Thirdly, the jurors' deliberations are fictional and dramatized, meaning that while they offer insights into human behaviour and judicial reasoning, they may not accurately reflect real-life legal procedures or outcomes. Finally, this paper focuses on the American legal context, which may limit its applicability to other legal systems influenced by different cultural or institutional frameworks.

3.2 The Hypothesis and the Research Questions

This paper hypothesizes that *Twelve Angry Men* exemplifies key tenets of Legal Realism by portraying how jurors' personal experiences, biases, and moral judgments significantly influence their interpretation of evidence and application of legal rules, thereby challenging the notion of objective and purely irrational legal decision-making. This paper raises questions about how the play reflects the principles of Legal Realism and its portrayal of jury deliberations. In what ways do the jurors' personal biases, emotions, and social backgrounds affect their interpretation of legal facts in the play? Furthermore, to what extent does the play critique the ideal of objective and impartial justice as upheld by formalist legal thought?

4. METHODOLOGY

This research paper examines and interprets themes related to justice, representations of legal norms, and depictions of social inequalities. The author chooses the theory of Legal Realism and applies it to the text. Some quotes are extracted from the text and analyzed qualitatively in accordance with the chosen theory. While studying the text, the themes are interpreted through a legal realist approach, which is the aim of this paper. Moreover, it reveals how the language and storytelling convey complex legal, moral, and social issues. The qualitative analysis will be applied theoretically to the legal issues presented in *Twelve Angry Men*.

5. DATA ANALYSIS

5.1 Exploring Karl Llewellyn's Legal Realism in Reginald Rose's Courtroom Drama

Twelve Angry Men is a courtroom drama that centres on twelve jurors who deliberate the fate of a sixteen-year-old boy accused of murdering his father. The case seems straightforward, and initially, eleven jurors vote guilty, assuming a quick decision. Only the eighth juror votes not guilty, not because he believes the boy is innocent, but because he feels the case deserves further discussion. As they re-examine the evidence, doubts begin to emerge. The eighth juror calmly challenges inconsistencies, exposes biases, and encourages the others to reconsider their positions. Tensions rise, and personal prejudices surface, especially from Jurors 3 and 10. Gradually, more jurors change their votes to not guilty, until the final holdout—Juror 3—agrees. The play ends with a unanimous verdict, underlining themes of justice, reasonable doubt, and moral responsibility within the legal system.

Twelve Angry Men provides a compelling framework for analysing the dynamics of small-group behaviour, yet remains small enough to enable direct interaction among all participants. The setting of the jury room is particularly valuable for such an analysis, not merely due to its manageable size of twelve individuals seated around a table, but because it represents a uniquely pure form of a group. The jurors are selected randomly, are unfamiliar with one another, and enter the deliberation process without established

roles or hierarchies. The absence of prior relationships allows for an observation of group behavior that emerges more directly from the interpersonal dynamics within the group itself (Rosenzweig, 2021, p. 223).

The jury room in *Twelve Angry Men* is placed in a challenging situation. They receive only vague instructions without any specified procedures (Rosenzweig, 2021, p. 223). There is constantly increasing attention on how the social environment influences legal systems and the decisions they produce. While law is often seen as separate from societal influences, it is dynamic and continually moulded by social developments over time (Berryessa et al., 2022, p. 2). Applying Llewellyn's Legal Realism to *Twelve Angry Men* highlights the notion that legal decisions are inherently influenced by the psychological states of legal practitioners and external factors beyond the application of fixed rules. The humidity, the heat and the jurors' growing tempers are not incidental details, but significant factors that shape the legal process, aligning with Llewellyn's opinion that law cannot be separated from the human beings who practice it.

Everyone knows and feels how the weather affects their mood and behaviour. The following sentence is stated by Four: "Shall we all admit right now that it is hot and humid and our tempers are short?" (Rose 11). The quote shows the impact of the physical environment on the jurors' state of mind. The weather creates an atmosphere that is uncomfortable, leading to heightened emotions, frustration, and impatience. Then the jurors remove their suit coats and hang them over the backs of chairs. The line, "[JURORS start to take off their suit coats and bang them over backs of chairs.]" (Rose 11), illustrates that these physical actions reflect the jurors' discomfort and emotional agitation, creating a tangible manifestation of their internal states. This tension in the room can lead to rash, emotionally charged decisions that are more about the jurors' discomfort than the real facts of the case. According to Llewellyn's opinion, this physical and emotional context plays a significant role in shaping interactions and decisions. While they may attempt to deliberate, based on the evidence presented, the judgment is not purely irrational. This stress from the environment affects how they view the case, leading them to make decisions that are less about impartial, legal reasoning and more about their immediate emotional states.

The jurors' interests, emotional states, and social backgrounds can affect their behaviour and approach to the case. This view aligns with Llewellyn's views on the legal proceedings. The Foreman discusses his relationships and connections within the jury room. He states:

I have an uncle who's a tailor. [Four takes his jacket off, places it carefully over back of chair and sits.] FOUR. How does he do?

FORMAN. [shaking his head]. Not too well. Y'know, a friend of his, that's a friend of my uncle, the tailor— well— this friend wanted to be on this jury in my place.

SEVEN. Why didn't you let him? I would have done anything to miss this. (Rose 12)

The Forman's reference to his uncle's occupation, and the fact that his uncle's friend, who wanted to be on the jury in his place, hints at the Forman's tendency to view the trial and his role on the jury as part of his social network and personal life. The decision-making process is not purely rational or based on facts; instead, the jurors' personal histories, relationships, and social networks come into play. If he wants to discuss others potentially replacing him, it hints at a lack of personal investment in the case. Four's action of carefully removing his jacket and placing it over the back of a chair is a small but significant gesture.

The quote reveals something about his personality and how he wants to present himself in the context of the trial. The placement of the jacket suggests a person who values order and control and can be seen as a reflection of his attempt to maintain a sense of personal composure and professionalism in the face of a chaotic, emotionally charged situation. While Seven's comment, "Why didn't you let him?" (Rose 12). speaks volumes about his emotional state and his attitude toward jury duty. Seven expresses a strong desire to avoid the responsibility of being on the jury, emphasising how factors such as personal inconvenience and a lack of interest influence his behaviour. The fact that these jurors are openly discussing their desire to avoid their duty suggests that their behavior in the jury room is affected by their personal biases and discomfort.

In *Common Law Judging*, Douglas Edlin questions commonly accepted views by shifting the focus of the conversation. Instead of examining judgment through the lens of objectivity and truth, he suggests that it should be understood through the personal viewpoint of the legal practitioner, emphasising the inter-subjectivity of the legal proceedings (Edlin, 2016, p. 2). The Foreman in the play tells a story about his uncle's friend. He says:

Anyway, this friend of my uncle's was on a jury once, about ten years ago—a case just about like this one. TWELVE. So what happened?

FOREMAN. They let him off. Reasonable doubt. And do y'know, about eight years later they found out that he'd actually done it, anyway. A guilty man—a murderer—was turned loose in the streets.

THREE. Did they get him?

FOUR. They couldn't (Rose 12).

This mention of the story highlights that past experiences, particularly the personal and subjective narratives jurors carry with them, can influence their approach to a current legal decision. This retelling of the story may subconsciously influence the jurors' liberation, the emotional response to the outcome of the past case—a guilty man going free—creating a sense of anxiety or urgency among them, pushing them to avoid making the same mistake. In other words, their personal experiences could lead to biases that affect the rational application of the law. Foreman's phrase “reasonable doubt” is a direct commentary on the legal system. He says that the man was acquitted due to reasonable doubt but was later found guilty. Such abstract legal principles, like reasonable doubt, are not applied in a vacuum. Instead, they are interpreted and applied by individuals who bring their own emotions, experiences and biases to bear on the decision.

Llewellyn's realism suggests that legal reasoning is not a purely objective process, but is influenced by personal feelings and psychological states. Even legal issues that do not appear directly connected to psychology can be examined by psychologists because they involve psychological elements (Sales and Krauss, 2015, p. 5). In Act One, Ten is emotional, as evidenced by his physical discomfort. The following quote shows Ten's bad status:

An awful way to kill your father—a knife in his chest.....

TEN. Look at what kind of people they are—you know them. [Gets a handkerchief out again.]

SEVEN. What's the matter? You got a cold?

TEN. [blowing]. A lulu! .(Rose 13)

Ten's physical discomfort and apparent frustration with the weather become intertwined with his attitude toward the case, especially the defendant. His remark, "look at the kind of people they are— you know them" (Rose 13), reflects a deeper, implicit bias. He stereotypes and generalizes people based on their social identity (in this case, the defendant's background) rather than focusing on the evidence. This exemplifies how personal emotions, such as irritation or discomfort, can manifest in prejudiced attitudes that undermine the law's objectivity. Ten complaints about the heat of a hot weather are emblematic of how jurors' personal lives and small talk intrude into legal deliberation. Ten's remark about his cold serves as a metaphor illustrating the tendency for legal reasoning to become clouded by emotional or personal distractions. This quote exemplifies Llewellyn's idea that the law operates in a neat, formalized process separate from the real lives of those involved, and that legal decision-making is constantly interrupted by the informality of human interaction. The legal system cannot be isolated from the real, lived experiences of the people who operate it.

When the jury votes, the result is eleven to one; eleven jurors say the boy is guilty, and one juror says the boy is not guilty. Three rejects Eight's vote, and he insists on the boy's guilt. Three states the following line, "I never saw a guiltier man in my life" (Rose 13), which reflects the immediate emotional reaction to the defendant. His judgment is not based on objective evidence, but on his feelings and prejudices. From a legal realist perspective, Three's certainty represents a classic example of the way in which a juror's subjectivity influences their view of the case. His certainty about guilt suggests that he is not engaging in an examination of the facts, but instead relying on emotional reactions and potentially implicit biases.

Eight asks Three a question: "What does a guilty man look like? He is not guilty until we say he is guilty. Are we to vote on his face?" (Rose 14). This question speaks directly

to the nature of legal judgment and the presumption of innocence. This question challenges the essence of Three's judgment, which is based on an assumed emotional reading of the defendant's guilt rather than on objective facts or law. From a legal realist perspective, the fact that legal practitioners' emotional states and biases can impact their judgment of the case is a significant concern. The Eighth's questioning of whether the defendant's appearance can decide guilt demonstrates the way in which human subjectivity can distort legal decisions. In a real-world legal system, this dynamic can lead to false convictions if jurors rely on superficial judgments rather than real, factual evidence.

The story goes on to Eight's challenge to Three when Eight wants to know where to see if a man is a killer. Since legal language differs from what formalists assume, the relationship between formalism and the rule of law falls apart. Formalism, with its flawed understanding of how the legal system works, fails to maintain accurate adherence to it. Al-Khazaali's paper (2022) introduces a justice-related issue, illustrating how the legal system sometimes fails to serve people. It also illustrates how individuals sometimes challenge the court's conscience and force it to confront the flaws in the pursuit of justice (p. 7). Eight's question directly parallels Llewellyn's critique of legal formalism (Matczak, 2018, p. 3)—three's emotional certainty about the defendants. Guilt represents a formal, abstract belief that seeks superficial signs of guilt, much like a pharmacist might approach a claim based on assumptions or theoretical interpretations rather than evidence or fact.

Eight, by questioning this idea, rejects the notion that mere surface-level characteristics or emotional assumptions can identify something as complex as guilt or justice. Eight continues to ask Three and says, "I would like to know. Tell me what the facial characteristics of a killer are. Maybe you know something I don't know" (Rose 14). Llewellyn points out that legal rights must be grounded in objective, practical evidence, not simply asserted through abstract claims or formal structures. He also argues that the process of enforcement reveals the uncertainty and complexity of legal rights, which cannot be captured by abstract assertions alone.

Rosenzweig in his book *Reginald Rose and The Journey of 12 Angry Men* (2021), states that “Juror 8 is also careful not to overstate his case, never making bold claims that he later must withdraw. He does not insist on having the final word, and has the good sense not to keep arguing when doing so would only weaken his case” (228). In legal language, specific strategies are employed to downplay or conceal the identity of the speaker who takes action. This creates an impersonal tone to convey a sense of authority and objectivity, which is crucial in legal discourse (Dawood, 2009, p. 23). In his paper, Jasem discusses euphemism and its use in the legal context to achieve the intended purpose. Euphemism also serves to lessen, soften or minimize the severity of major injustices or serious events (Jasem, 2023, p. 14). Eight echoes this by insisting on a more thoughtful, evidence-based approach to determining guilt. His question to Three shows that guilt cannot be discerned from superficial features or biases. It must be proven through evidence—testimonies, physical evidence, motives, and logical reasoning—not emotional assumptions and biases. According to Llewellyn’s terms, the right to a fair trial cannot simply be asserted; it must be realized through careful, methodical examination of the evidence, just as Eight insists the jury must carefully examine the evidence of guilt rather than relying on superficial judgments.

Eight is frustrated with the other jurors’ lack of reasoning because they do not give reasons for accusing the boy. Hussein’s paper highlights the challenges faced by victims in pursuing justice following severe human rights violations. It also shows how they struggle to regain their sense of justice, agency, and dignity (Hussein, 2022, p. 577). Eight shakes his head slowly and says: “No reasons— just guilty. There is a life at stake here” (Rose 17-18). A related idea is that law is oriented toward the future. This perspective is inherent in a pragmatic view of law, which sees it as a tool designed to serve human needs (Posner, 1982, p. 1657). Eight’s words highlight the pragmatic emphasis on real-world experience. He challenges the simplicity of simply asserting guilt without providing empirical evidence or reasons. This view is similar to Shelley’s in his work “The Mask of Anarchy,” in which he is more concerned with the real world and society rather than focusing on the natural world (Alhgam, 2025, p. 164). In a pragmatic framework, decisions should be based on practical considerations, including what the facts show and the consequences of a decision. The realist critique of the mechanical

formalism, which Eight implicitly invokes, would reject a decision based on an abstract application of guilt. Eight advocates for a more thoughtful, context-sensitive decision-making process that weighs the real consequences of a guilty Verdict, particularly given the life at stake. “There is a life at stake here”, it brings attention to the pragmatic aspect of law. In the context of Legal Realism, this quote illuminates the moral and ethical responsibility jurors have when applying legal principles.

One of the witnesses in this case is a woman who claims to have seen the stabbing. Ten tries to convince Eight that the boy is guilty, so he starts to repeat what the woman claims to have seen. He tells Eight that she wakes up at night and looks out the window, and across the street, she sees the kid stick the knife into his father. Llewellyn asserts that legal decisions involve a high degree of discretion, shaped by the circumstances, the subjective interpretations of legal practitioners, and the realities of human behaviour. Dajović, in his article *"Hart's Judicial Discretion Revisited,"* notes that the law is not always clear-cut, resulting in both straightforward and complex cases. In these more difficult cases, judges must exercise discretion in both making and explaining their decisions (Dajović, 2023, p. 1).

So we observe Eight questioning the credibility of the woman's testimony that is brought up by Ten. Eight replies: “how can she really be sure it was the kid when she saw it through the windows of a passing elevated train” (Rose 19)? Eight here casts doubt on how reliable her observation could be under such conditions—she was half-awake at night, and her view was possibly obstructed. Eight’s words mirror Llewellyn’s belief that the application of facts to legal rules is not straightforward. Theoretically, eyewitness testimony might seem decisive and trustworthy in legal doctrine, but in practice, as Eight suggests, the context matters; environmental factors, psychological states, and even assumptions made during testimony all complicate what appears to be a simple legal conclusion. The jurors do not simply apply the law; they interpret evidence and human behavior, each in their own way. This variability reflects Llewellyn’s view that legal practitioners must exercise discretion to determine what constitutes credible, reliable, or truthful evidence, and that this discretion introduces unpredictability into legal outcomes.

In the final scenes of the play, the falling action is explicit, as the viewers see Eight trying to convince Three in the last minutes of their meeting in the jury room. It is a moment when the viewers or readers know that law is not just about rules written in books, but about how real human beings think, feel, act, and judge in unpredictable situations. Eight and Two speak to each other, stating:

EIGHT [to THREE]. They're waiting. [THREE sees that he is alone. He moves to table and pulls switch knife out of table and walks over to EIGHT with it. THREE is holding knife in approved knife-fighter fashion. THREE looks long and hard at juror EIGHT and weaves a bit from side to side as he holds knife with point of it in direction of EIGHT'S belly. EIGHT speaks quietly, firmly.] Not guilty. [THREE turns knife around and EIGHT takes it by handle. EIGHT closes knife and puts it away.]

THREE. Not guilty! [THREE walks out of room. EIGHT glances around quickly, sighs, then turns and moves out through door.

GUARD goes out, closing door.]. (Rose 63)

The act of Three pulling out the switchblade and approaching Eight is deeply emotional, not rational. It reveals that human emotions, such as anger, loneliness, pride, and humiliation, can impede legal reasoning. Turning the knife and admitting that the boy is not guilty reveals that decisions are not always made by pure logic or evidence, but are heavily influenced by personal struggles and emotions. Moreover, *Twelve Angry Men* demonstrates Llewellyn's approach, which suggests that literary works enable us to study law not as a set of doctrines, but as a human, moral and social experience. It teaches us how people use language to exercise power, how they make decisions, how they struggle with responsibility and how it operates in the real drama of a human life. This scene reveals the human drama behind the law. Sadeeq's paper demonstrates how language plays a vital role in people's lives and the cultures to which they belong. It also conveys how language shapes narratives and affects real-world situations (Sadeeq, 2024, p. 197). Three is not simply a juror as an abstract role; he is a broken man, full of pain, fear, and need for control. His violent attitude with the knife symbolizes how legal decision-making is also a cultural and ethical struggle. The play helps readers or viewers see the silent forces behind the law that formal courtroom transcripts would never reveal.

6. CONCLUSION

Twelve Angry Men provided a powerful exploration of the principles of Legal Realism, demonstrating that legal decision-making is far from the impartial and objective process that formalist theories often suggest. The play underscored the legal realist claim that law is deeply influenced by human judgment, shaped by the social, emotional, and psychological factors that jurors bring into the deliberation process. Eight's role in challenging the majority's assumptions exemplifies how individual conscience, critical thinking, and resistance to social pressure can alter the course of justice.

The play answered key questions at the heart of Legal Realism. It shows that legal outcomes are not solely dictated by statutes or precedents, but are profoundly influenced by the perspectives, prejudices, and lived experiences of those interpreting the facts. Each juror had their own bias, shaped by class, ethnicity, and personal values that influence their initial judgment. As the group confronts these biases and engages in dialogue, the play reveals the possibility of a more nuanced and equitable form of justice—one that accounts for the complexities of human behaviour. By situating the jury in a pressured, ambiguous environment with minimal legal guidance, Rose highlighted the indeterminacy of law and the crucial role of deliberation and dissent. The play reaffirmed the legal realist view that the law is not a fixed set of rules mechanically applied, but a living process, subject to interpretation, negotiation, and change. In doing so, *Twelve Angry Men* invited ongoing reflection on the conditions under which justice is achieved and the ethical responsibilities of those who participate in legal decision-making.

References

- Abdul Hameed, M. K. (2019). *The concepts of feminine, slavery, and discrimination by Maya Angelou*. Journal of Tikrit University for Humanities, 26(9), 19–32. <https://doi.org/10.25130/jtuh.26.9.2019.25>
- Alhgam, Y. (2025). *Shelley's ideals and political justice; The Mask of Anarchy as an example*. Journal of the College of Languages (JCL), 51, 163–172. <https://doi.org/10.36586/jcl.2.2025.0.51.0163>
- Al-khazaali, M. H. (2022). *The revenge of conscience in John Grisham's A Time to Kill: Psychoanalytic study*. Al-Adab Journal, 1(141), 1–12. <https://doi.org/10.31973/aj.v1i141.3692>

- Angelosanto, M. (2023). *Legal realism and the predictability of judicial decisions*. *Interdisciplinary Studies in Society, Law, and Politics*, 2(3), 4–14. <https://doi.org/10.61838/kman.isslp.2.3.2>
- Bandes, S. A., & Blumenthal, J. A. (2012). *Emotion and the law*. *Annual Review of Law and Social Science*, 8, 161–181. <https://doi.org/10.1146/annurev-lawsocsci-102510-105018>
- Berryessa, C. M., Kraft, T. J., & Ward, G. (2022). *Editorial: Social psychological process and effects on the law*. *Frontiers in Psychology*, 13, Article 990167. <https://doi.org/10.3389/fpsyg.2022.990167>
- Dajović, G. (2023). *Hart's judicial discretion revisited*. *Revus: Journal for Constitutional Theory and Philosophy of Law*, 50. <https://doi.org/10.4000/revus.9735>
- Dawood, A.-K. (2009). *Legal register*. *Journal of the College of Languages (JCL)*, 19, 20–28. <https://www.jcolang.uobaghdad.edu.iq/index.php/JCL/article/view/433>
- Edlin, D. E. (2016). *Common law judging: Subjectivity, impartiality, and the making of law*. University of Michigan Press.
- Hussein, H. (2022). *The possibility of truth and justice in Ariel's Death and the Maiden*. *Alustath Journal for Human and Social Sciences*, 61(3), 577–587. <https://doi.org/10.36473/ujhss.v61i3.1774>
- Kadhim, Z. J., & Sulaiman, M. Q. (2025). *Moral reasoning in Ann Cleeves' Raven Black*. *Journal of Language Studies*, 9(1). <https://doi.org/10.25130/Lang.9.1.11>
- Llewellyn, K. (1930). *A realistic jurisprudence—The next step*. *Columbia Law Review*, 30(4), 431–465.
- Matczak, M. (2018). *Why judicial formalism is incompatible with the rule of law*. *Canadian Journal of Law & Jurisprudence*, 31(2), 291–313. <https://doi.org/10.2139/ssrn.2831477>
- Posner, R. A. (1986). *Legal formalism, legal realism, and the interpretation of statutes and the Constitution*. *Case Western Reserve Law Review*, 37(2), 179–217. <https://scholarlycommons.law.case.edu/caselrev/vol37/iss2/3>
- Rose, R., & Sergel, S. L. (n.d.). *Twelve angry men: A play in three acts*. The Dramatic Publishing Company.
- Rosenzweig, P. (2021). *Reginald Rose and the journey of 12 Angry Men*. Fordham University Press.
- Sales, B. D., & Krauss, D. A. (2015). *The psychology of law: Human behavior, legal institutions, and law*. American Psychological Association.
- Shaffer, G. (2018). *Legal realism and international law*. Legal Studies Research Paper Series No. 2018-55. University of California, Irvine - School of Law.

Tonkov, D. (2019). *Experience and reason in American legal realism. In The experience of law: Collection of articles and essays* (The Library of the International Journal "Philosophy of Law Issues"). Kharkiv: Institute of State and Law of the Russian Academy of Sciences (ISL RAS).