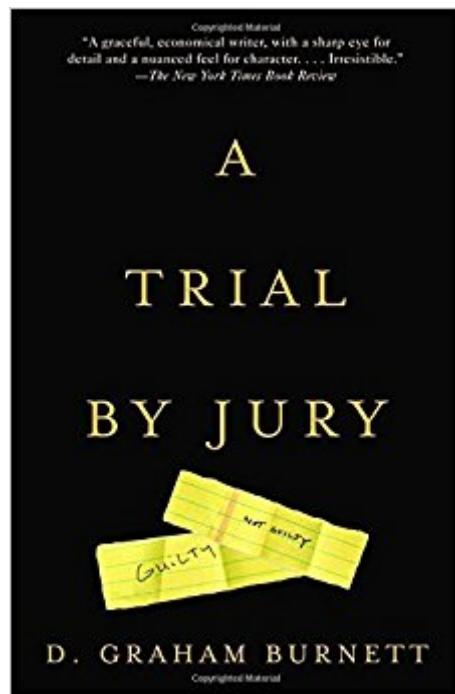


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# A Trial By Jury



## Synopsis

When Princeton historian D. Graham Burnett answered his jury duty summons, he expected to spend a few days catching up on his reading in the court waiting room. Instead, he finds himself thrust into a high-pressure role as the jury foreman in a Manhattan trial. There he comes face to face with a stunning act of violence, a maze of conflicting evidence, and a parade of bizarre witnesses. But it is later, behind the closed door of the jury room, that he encounters the essence of the jury experience — he and eleven citizens from radically different backgrounds must hammer consensus out of confusion and strong disagreement. By the time he hands over the jury's verdict, Burnett has undergone real transformation, not just in his attitude toward the legal system, but in his understanding of himself and his peers. Offering a compelling courtroom drama and an intimate and sometimes humorous portrait of a fractious jury, *A Trial by Jury* is also a finely nuanced examination of law and justice, personal responsibility and civic duty, and the dynamics of power and authority between twelve equal people.

## Book Information

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## Customer Reviews

Historian D. Graham Burnett writes about his experience as the foreman of the jury in a murder trial in New York City, what he calls "the most intense sixty-six hours of my life." There was nothing especially spectacular about the case; it was not a famous one, and while *A Trial by Jury* holds interest, it's not a John Grisham potboiler. Yet Burnett uses the experience to illuminate the heavy responsibilities of jury duty and all the maddening frustrations associated with determining

something as deceptively simple as reasonable doubt. "The jury room is a remarkable--and largely inaccessible--space in our society, a space where ideas, memories, virtues, and prejudices clash with the messy stuff of the big, bad world," Burnett writes in this elegant chronicle. His primary characters--his fellow jury members--come alive on these pages: "a clutch of strangers yelled, cursed, rolled on the floor, vomited, whispered, embraced, sobbed, and invoked both God and necromancy." He grows to like some, and "loathe" others. ("Are there some citizens not clearly able to distinguish daytime television from daily life?" he asks at one point.) Parts of the book are funny, as when he describes the small steps he took to encourage the trial lawyers to strike him out of the jury pool: "I promised to give any healthy prosecutor hives. I brought along a copy of *The New York Review of Books* just in case." Alas, Burnett found himself in the courtroom, and eventually he became foreman. This allows him to wrestle through the contradictory evidence presented by both sides--and forces him to conclude that even the truth can resemble a muddle when presented in court. He has trouble making up his own mind about the case--this is no *Twelve Angry Men* update, though its insights on jury-room dynamics are just as instructive. Burnett also ruminates on his own profession: "I realize now that for me--a humanist, an academic, a poetaster--the primary aim of sustained thinking and talking had always been, in a way, more thinking and talking. Cycles of reading, interpreting, and discussing were always exactly that: cycles. One never 'solved' a poem, one read it, and then read it again--each reading emerging from earlier efforts and preparing the mind for future readings." Jury duty, of course, demands an awesome finality--and the conclusion to the trial involving Burnett is one that haunts the author after the gavel falls. --John Miller --This text refers to an out of print or unavailable edition of this title.

Combining an ethical examination of civic obligation with a meticulous character study, Princeton historian of science Burnett (*Masters of All They Surveyed*) dramatizes his experience of being selected for jury duty in a capital case. Told as two parts of the same tale (trial and jury deliberations), the story is appropriately navigated between several Scylla-and-Charybdis pairings the court and the jury room, the truth and lies of the case, the application of laws and the fiery desire for justice. While the murder trial delves into sordid details of transvestism, male prostitution and rape, the tale takes its potent turn when Burnett is unexpectedly moved into the position of jury foreman (the original foreman simply disappeared one day) and must play a critical role in the jury deliberations. Holding other jurors' wide-ranging emotions in check while staying focused on the case himself, Burnett ultimately brings readers face-to-face with the stultifying bureaucracy of American law in praxis. Drawing on an academic and intellectual background, he builds an

impressive melodrama and tense, emotionally exhausting scenes in the jury room that surely will recall *Twelve Angry Men*. But while the ruminations are articulate and engrossing, readers may wonder how Burnett plays a key role in the story while managing to remain distant enough to render the facts of the jury room as easily as he does. (Sept. 19) Forecast: Knopf is taking a big position on this, with a first printing of 100,000, a 10-city author tour and national advertising on CNN and Court TV, where Burnett will also make appearances. If he comes across as personable, his glimpse behind the closed doors of justice could tempt a wide range of curious readers. Copyright 2001 Cahners Business Information, Inc. --This text refers to an out of print or unavailable edition of this title.

I needed this book for my Intro to courts class and ended up reading it before the class even started because I found it so interesting when I was skimming through it. The perspective is like nothing I've ever read before and the case is fascinating.

D. Graham Burnett's "Trial By Jury" is not a "true crime" novel. In fact, it is to "true crime" what Jane Austen is to Harlequin romances. I am not writing this to sound smarmy, but just to let the reader know that while this is a story of a trial and the tensions arising therefrom, the reader should not expect anything resembling Ann Rule or even Truman Capote. [This mis-expectation, I think, accounts for several of the negative reviews.] This is a autobiographical recount of D. Graham Burnett's jury duty on a murder trial. Burnett's rationale for recounting the trial is to give us a view of the machinations of the jury trial and, in so doing, reflect on such things as the difference between law and justice, and the ways in which we try to ascertain the truth of a matter when all we have are disjointed facts and clues. The trial is that of Monte Virginia Millcray, who is charged with stabbing Randolph Cuffee about 20 times. Millcray says the stabbings were in self-defense, after Cuffee (posing as a woman) tried to rape Millcray. The prosecution's account is that Millcray and Cuffee were in a relationship and Millcray snapped. About half of the book is about the courtroom drama and half is about the lengthy (20+ hour) deliberation process and it is clear that the author places much more emphasis on the latter half of the book. Witnesses are gone through rather quickly, summarized as might be done by a story teller quickly laying the obligatory groundwork for the "real" story. By contrast, Burnett's recounting of the jury deliberation is quite lengthy and detailed. To this reader's mind, Burnett really does a good job with describing the jury deliberations and for those of us who've done jury duty before, much of his retelling will seem familiar. Tempers flare, opinions clash and fluctuate. Evidence is combed over again and again, in hopes that each time will reveal

something missed the time before. Burnett also reflects on the jury process. Some of his reflections - the mismatch between law and justice - are rather pedestrian and hackneyed. (I confess that I was sometimes annoyed that some of Burnett's more pedestrian reflections were sometimes treated as if he were the first to have thought of them.) Others - jury sequestration as an example of the virtually unlimited power of the state - were quite interesting. Either way, Burnett's retelling of the jury deliberation is as much recount as it is reflection. (If that would bore you, you might get bored with this book.) "Trial by Jury" is not for everyone. As noted, it is not a "true crime" novel, and is not a page-turner. I don't think that was D. Graham Burnett's goal in writing the book. Rather, it is a sometimes entertaining and other-times thought-provoking examination of one man's experience with, and reflections on, a jury trial as a way to try and mete out imperfect justice in an imperfect world.

Reading this book for my comp class and I really like the book; reading this book put you in the spot of being a juror.

The idea for this book was certainly a good one. Given how the whole jury system plays such a central role in our judicial system, it is rather surprising that there is so little material on what actually goes on inside the jury room. As Burnett rightly points out, it is a "largely inaccessible space in our society." Thus the book is certainly a step towards filling that void. That said, I found it somewhat unsatisfying for several reasons, some of them within the author's control and some of them not. In various other reviews here, the author has been described variously as "pretentious" (on several occasions), "pompous", "snobbish", "holier-than thou", "smug", and "self-congratulatory". Anyone see a theme here? I don't really disagree with any of these and I would add pedantic, condescending and superior. It really comes through on almost every page. And yet, I have to say that with the possible exception of Adelle, no one else in that jury room seemed like a candidate for MENSA. In fact, a number of them, such as Felipe and Rachel, seemed like true idiots. The overall lack of intelligence of so many jury members had several unfortunate consequences. First, with just a few exceptions, including some comments by Adelle and Dean, it made the deliberations (which take up half of the book) much less interesting than they otherwise might have been. Second, whatever sense of pedantry and superiority which is probably naturally latent in the author anyway were probably brought to the fore when he saw who he was dealing with. Also, again though no fault of the author's, I simply didn't find the case he had to work with all that riveting. A man was lured to or went voluntarily to the apartment of some sort of

man/woman/transvestite/cross-dresser/drag queen and either did or did not kill the latter in self-defense when the latter made sexual advances. All in all, it was not a bad book by any means, but I don't think that it was the book it could have been either.

As the defense attorney who actually tried the case described in this book, I think this book is valuable just to see how Manhattan juries consider and decide criminal cases. As my wife, a writer, said when the book first came out, " He wrote the book, so he got to make himself the hero." You would think from reading the book that all the evidence fell from the sky and that I played no part in presenting the defense. An interesting read if you read it only to learn how juries work.

good product

Many of us can think the thoughts, but few of us can put into words the experience of sitting on a jury and interacting with our fellow man in order to attain a "just" verdict. D. Graham Burnett has taken this mandatory life experience and shed a new light on it and now shares it with the world. Having been associated with the legal process, as a court reporter, for 30 years, and having, for the most part, taken it for granted, it was very refreshing for me to see, through his eyes, its shortcomings and its strengths. He asks tough questions. What is the law? What is a just verdict? How powerful is the state? Do we need protection from it? And, he demonstrates just how the jury process can and does work, even with all of the personalities, the loss of patience, the bickering of strong-willed people, and how even the quiet and withdrawn have something to say: eventually. Well worth your time.

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