
Objectives:

- Students will be able to analyze a rhetorical work, and to understand its cultural influence and its historical significance.
- Students will be able to use context clues to determine the meanings of unfamiliar words.
- Students will be able to correctly use vocabulary words.

Billings Learned Hand (1872 - 1961)

Born and raised in Albany, New York, Billings Learned Hand majored in philosophy at Harvard College and graduated with honors from Harvard Law School. At the age of 37 he became a United States judge and was considered to be a judicial philosopher. Hand possessed a gift for the English language, and his writings are considered to be legal literature. He has been quoted more often than any other lower court judge by legal scholars, as well as the United States Supreme Court.



On May 21, 1944 when the United States was in the midst of the Second World War there was a rally of people in Central Park, in New York City. Thousands of people from all races, ages, and nationalities gathered to celebrate “I Am an American Day.” Judge Learned Hand was asked to speak. He gave a short speech, but it was received so well and affected people so deeply that it was put into print and has been included in many collections of American literature.

The fact that the speech took place during World War II and in New York City – one of the largest immigrant cities in America – makes this literary work both **historically** and **culturally significant**.

Rhetoric

Rhetoric is the careful use of language to create a strong emotional reaction. There are many ways to use rhetoric within writing. Read the following passage and pay attention to the bolded word.

We have gathered here to affirm a faith, a faith in a **common** purpose, a **common** conviction, a **common** devotion.

From the beginning, Hand's language connects not only himself to the audience, but every member of the audience to each other. Hand uses the **rhetorical device of repetition** to stress to the audience that they are connected. Hand repeats the word "common" three times to emphasize to the audience that they share "a purpose", "a conviction", and "a devotion."

Building on the idea that the members of the audience have things in common with each other, in the next section, Hand describes something else that the audience shares. While the first phrase means that some of the people from the audience are immigrants who chose to come to America, the second phrase means that those who are not immigrants descended from people who were, making them similar. Therefore, we are all part of a brave and courageous group. This unites us as Americans.

Some of us have chosen America as the land of our adoption; the rest have come from those who did the same. For this reason we have some right to consider ourselves a picked group, a group of those who had the courage to break from the past and brave the dangers and the loneliness of a strange land.

Notice how Hand uses simple, straightforward language. He is a very educated man, trained as a lawyer, so he knows how to use rhetoric to connect to and persuade his audience. When speaking to the crowd of thousands of people from all walks of life, he chooses vocabulary that he is sure most of the audience will understand. He does not use big words or sophisticated legal language that might alienate people less educated than he is. He does not want to put himself above the crowd, but instead talk to them as equals.

Context Clues

Context clues are "helper" words and phrases within a sentence and in the surrounding sentences and paragraphs that can help you understand an unfamiliar word. Being able to understand what you are reading will help you to better grasp the full meaning of the literary work.

And what is this liberty which must lie in the hearts of men and women? It is not the ruthlessness, the **unbridled** will; it is not the freedom to do as one likes. That is the denial of liberty and leads straight to its overthrow. A society in which men recognize no **check** upon their freedom soon becomes a society where freedom is the possession of only a savage few; as we have come to learn to our sorrow.

The **clue** is to the meaning of “unbridled” is in the phrase, “not the freedom to do as one likes.” This suggests that there is some form of control at work. In fact, a bridle is headgear used to control a horse. Something that is “unbridled,” is not under control. What about the word “check?” From the **context** you can understand it to be some form of control, as well.

The spirit of liberty is the spirit which is not too sure that it is right; the spirit of liberty is the spirit which seeks to understand the mind of other men and women; the spirit of liberty is the spirit which weighs their interests alongside its own without **bias**; the spirit of liberty remembers that not even a sparrows falls to earth unheeded; the spirit of liberty is the spirit of Him who, near two thousand years ago, taught mankind that lesson it has never learned but never quite forgotten; that there may be a kingdom where the least shall be heard and considered side by side with the greatest.

What does the word **bias** mean? How can the context help you figure it out? Throughout this passage Hand defines the spirit of liberty as an entity that does not consider itself better than anyone else. By using phrases such as “seeks to understand the mind of other men and women”, “weighs their interests alongside its own”, “the least shall be heard and considered side by side with the greatest”, Hand is saying that the spirit of liberty is open minded and willing to consider what others think and feel. But, the spirit of liberty is supposed to be “without bias.” Therefore it can be taken that **bias** must be the opposite of being open minded. **Bias** is a prejudice either for or against something. Reading the paragraph, you probably got a pretty good sense of that even before you knew the definition.

Also notice that Hand uses the phrase “The spirit of liberty is” to begin every statement in this section. Americans commonly consider liberty to be valuable and repeated mention of it will grab their attention. In the final section he uses a variation of that phrase, “the spirit of that America which” several times. “Liberty” becomes “America” in the phrase. Even though Hand says that the spirit of America is not the spirit of Liberty, the construction of the phrases connects the two ideas. Finally, Hand combines them in the concluding sentence.

And now in that spirit, that spirit of an America which has never been, and which may never be; nay, which never will be except as the conscience and courage of Americans create it; yet in the spirit of the America which lies hidden in some form in the aspirations of us all; in the spirit of the America for which our young men are at this moment fighting and dying; in that spirit of liberty and of America I ask you to rise and with me pledge our faith in the glorious destiny of our beloved country

Hand has defined his vision of what America could be, and he then calls on the audience to join with him to bring that America into existence.

Growth & Assessment

1. With which rhetorical device did Hand begin his speech?
 - a. Analogy
 - b. Metaphor
 - c. Symbolism
 - d. Repetition
2. What did the word “common” mean as Hand used it?
 - a. Ordinary
 - b. Normal
 - c. Shared
 - d. Usual
3. What was the subject of Hand’s speech?
 - a. World War Two
 - b. The spirit of liberty
 - c. Immigration
 - d. Unbridled will
4. How did Hand connect with his audience?
 - a. He used simple language
 - b. He shook their hands
 - c. He made them feel guilty
 - d. He sang with them
5. What are 3 things that Hands says the audience members have in common with each other?