

## 7 American

Passage 7, Questions 66-73. In 1924, lawyer and orator Clarence Darrow acted as Attorney for the Defense in the case of Nathan Leopold and Richard Loeb, two young men from Chicago who confessed to killing a boy named Bobby Franks simply to see if they could get away with it. In his closing statement, Darrow pleaded against capital punishment and was successful in obtaining the lesser penalty of life imprisonment for the defendants. This excerpt is the closing part of his address to Judge John R. Caverly. Read the excerpt carefully before you choose your answers.

There are causes for this terrible crime. There are causes, as I have said, for everything that happens in the world. War is a part of it; education is a part of it; birth is a part of it; money is a part of it—all these conspired to compass the destruction of these two poor boys.

- (5) Has the court any right to consider anything but these two boys? The State says that your Honor has a right to consider the welfare of the community, as you have. If the welfare of the community would be benefited by taking these lives, well and good. I think it would work evil that no one could measure. Has your Honor a right to consider the families of these two defendants? I have been sorry, and I am sorry
- (10) for the bereavement of Mr. and Mrs. Frank, for those broken ties that cannot be healed. All I can hope and wish is that some good may come from it all. But as compared with the families of Leopold and Loeb, the Franks are to be envied—and everyone knows it.

- (15) I do not know how much salvage there is in these two boys. I hate to say it in their presence, but what is there to look forward to? I do not know but what your Honor would be merciful if you tied a rope around their necks and let them die; merciful to them, but not merciful to civilization, and not merciful to those who would be left behind. To spend the balance of their days in prison is mighty little to look forward to, if anything. Is it anything? They may have the hope that as the years roll around they might be released. I do not know. I do not know. I will be honest with this court as I have tried to be from the beginning. I know that these boys are not fit to be at large. I believe they will not be until they pass through the next stage of life, at forty-five or fifty. Whether they will then, I cannot tell. I am sure of this; that I will not be here to help them. So far as I am concerned, it is over.

- (25) I would not tell this court that I do not hope that some time, when life and age have changed their bodies, as they do, and have changed their emotions, as they do—that they may once more return to life. I would be the last person on earth to close the door of hope to any human being that lives, and least of all to my clients. But what have they to look forward to? Nothing. And I think here of the stanza of
- (30) Housman:

- Now hollow fires burn out to black,  
And lights are fluttering low:  
Square your shoulders, lift your pack  
And leave your friends and go.  
(35) O never fear, lads, naught's to dread,  
Look not left nor right:  
In all the endless road you tread  
There's nothing but the night.

- (40) I care not, your Honor, whether the march begins at the gallows or when the gates of Joliet close upon them, there is nothing but the night, and that is little for any human being to expect.

- But there are others to consider. Here are two families, who have led honest lives, who will bear the name that they bear, and future generations must carry it on.
- (45) Here is Leopold's father—and this boy was the pride of his life. He watched him, he cared for him, he worked for him; the boy was brilliant and accomplished,

he educated him, and he thought that fame and position awaited him, as it should have awaited. It is a hard thing for a father to see his life's hopes crumble into dust.

(50) Should he be considered? Should his brothers be considered? Will it do society any good or make your life safer, or any human being's life safer, if it should be handed down from generation to generation, that this boy, their kin, died upon the scaffold?

(55) And Loeb's the same. Here are the faithful uncle and brother, who have watched here day by day, while Dickie's father and his mother are too ill to stand this terrific strain, and shall be waiting for a message which means more to them than it can mean to you or me. Shall these be taken into account in this general bereavement?

(60) Have they any rights? Is there any reason, your Honor, why their proud names and all the future generations that bear them shall have this bar sinister written across them? How many boys and girls, how many unborn children will feel it? It is bad enough as it is, God knows. It is bad enough, however it is. But it's not yet death on the scaffold. It's not that. And I ask your Honor, in addition to all that I have said, to save two honorable families from a disgrace that never ends, and which could be of no avail to help any human being that lives.

(65) Now, I must say a word more and then I will leave this with you where I should have left it long ago. None of us are unmindful of the public; courts are not, and juries are not. We placed our fate in the hands of a trained court, thinking that he would be more mindful and considerate than a jury. I cannot say how people feel. I have stood here for three months as one might stand at the ocean trying to sweep back the tide. I hope the seas are subsiding and the wind is falling, and I believe they are, but I wish to make no false pretense to this court. The easy thing and the popular thing to do is to hang my clients. I know it. Men and women will approve. It will be easy to-day; but in Chicago, and reaching out over the length and breadth of the land, more and more fathers and mothers, the humane, the kind and the hopeful, who are gaining an understanding and asking questions not only about these poor boys, but about their own—these will join in no acclaim at the death of my clients. These would ask that the shedding of blood be stopped, and that the normal feelings of man resume their sway. And as the days and the months and the years go on, they will ask it more and more. But, your Honor, what they shall ask may not count. I know the easy way. I know your Honor stands between the future and the past. I know the future is with me, and what I stand for here; not merely for the lives of these two unfortunate lads, but for all boys and all girls; for all of the young, and as far as possible, for all of the old. I am pleading for life, (85) understanding, charity, kindness, and the infinite mercy that considers all. I am pleading that we overcome cruelty with kindness and hatred with love. I know the future is on my side. Your Honor stands between the past and the future. You may hang these boys; you may hang them by the neck until they are dead. But in doing it you will turn your face toward the past. In doing it you are making it harder for every other boy who in ignorance and darkness must grope his way through the mazes which only childhood knows. In doing it you will make it harder for unborn children. You may save them and make it easier for every child that sometime may stand where these boys stand. You will make it easier for every human being with an aspiration and a vision and a hope and a fate. I am pleading for the future; I am pleading for a time when hatred and cruelty will not control the hearts of men. (95) When we can learn by reason and judgment and understanding and faith that all life is worth saving, and that mercy is the highest attribute of man.

(100) I feel that I should apologize for the length of time I have taken. This case may not be as important as I think it is, and I am sure I do not need to tell this court, or to tell my friends that I would fight just as hard for the poor as for the rich. If I should succeed in saving these boys' lives and do nothing for the progress of the law, I

should feel sad, indeed. If I can succeed, my greatest reward and my greatest hope will be that I have done something for the tens of thousands of other boys, for the countless unfortunates who must tread the same road in blind childhood that these poor boys have trod—that I have done something to help human understanding, to temper justice with mercy, to overcome hate with love.

(105)

66. Darrow's primary purpose in the first short paragraph is most likely to
- (A) remind the judge that war can cause abnormal behavior
  - (B) explain the motivations of his clients
  - (C) portray his clients as victims
  - (D) put the crime in perspective as a fairly common act
  - (E) highlight his clients' lack of education and money
67. The purpose of "and everyone knows it" (lines 12-13) is to
- (A) appeal to popular sentiment regarding criminals
  - (B) preclude any objections to a controversial statement
  - (C) demonstrate Darrow's compassion for all three families involved
  - (D) raise doubts about the justice of the guilty verdict
  - (E) imply that the Franks would not want Leopold and Loeb to be put to death
68. The quotation of Housman's poetry serves to add
- I. rhetorical interest
  - II. drama
  - III. pathos
- (A) I only
  - (B) II only
  - (C) I and II only
  - (D) II and III only
  - (E) I, II, and III
69. By "I care not" (line 40), Darrow means
- (A) It is irrelevant
  - (B) It does not matter to me
  - (C) I have no preference
  - (D) I do not worry about
  - (E) It is up to you

70. Darrow underscores his points in lines 45-57 by means of
- I. parallelism
  - II. allusion
  - III. rhetorical questions
- (A) I only
  - (B) I and II only
  - (C) I and III only
  - (D) II and III only
  - (E) I, II, and III
71. Darrow's references to "The easy thing and the popular thing" (lines 71-72) and "the easy way" (line 80) are meant to
- (A) assure the judge of his support regardless of the decision
  - (B) suggest that the judge usually rules according to public opinion
  - (C) imply that the public has unfairly turned against his clients
  - (D) challenge the judge to rule against popular opinion
  - (E) emphasize how widespread the death penalty has become
72. In context of his clients' crime, the two sentences in lines 91-93 ("You may save . . . and a fate") are primarily
- (A) ironic
  - (B) logical
  - (C) condescending
  - (D) sarcastic
  - (E) hyperbolic
73. Which of the following contributes LEAST to the emotional appeal of the speech?
- (A) "these two poor boys" (line 4)
  - (B) "nothing but the night" (line 41)
  - (C) "hopes crumble into dust" (line 48)
  - (D) "sweep back the tide" (lines 69-70)
  - (E) "overcome hate with love" (line 105)