

Clarence Darrow, a Real Character

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Overview

The audience sits on the edges of their seats waiting to hear the next powerful words from a large, flamboyant, rather sloppy-looking character that struts across the hardwood floor as his sincere, unflinching eyes pierce the men and women sitting in front of him. In what theater does this take place? Who is this “flamboyant character?” The theater is the courtroom, and the character is Clarence Darrow. The colorful, captivating manner of this advocate for the underdog makes him an interesting study in how life imitates fiction. For this reason, students in my ninth grade gifted English class will examine the characteristics that make Darrow such a phenomenal piece of work. He was an extraordinary reader, writer, speaker and listener, all the areas that English teachers hope to develop in their students. As students study the elements of fiction and compile their literacy portfolios, they can look at Clarence Darrow as a real life example of the literacy objectives they strive to acquire. Students will learn about the setting from which Darrow comes, his character traits, and his talent as a speaker, writer and reader as a basis for discussing the same elements in fiction and in their own practice of improving their literacy skills. The experience that students gain from the Darrow study can be applied to any of the units we cover during the school year. Therefore we will complete this four-week curriculum unit during the first quarter. It will be incorporated into an existing research unit titled “Individuals Who Are/Were Different.” A variety of topics to research will be divided among the students. These topics will include Darrow’s life, the times, important legal cases, his writings and his speeches. Students will present their research information using *PowerPoint*. Students will then choose a current issue about which to write a persuasive essay and then present a persuasive speech that mimics Darrow’s style.

Rationale

Teachers are always looking for effective ways to help students make connections between school work and real life. The study of literature is essentially a study of life and necessarily involves an analysis of character, writing techniques and themes. Students usually learn the elements of fiction such as plot, characterization, setting, and theme as they read short stories and novels. They rarely apply these terms to non-fiction situations. However, the story of Clarence Darrow offers the opportunity to do just that. Although I have heard of the famous lawyer, Clarence Darrow, I did not know a great deal about him. I began reading about Darrow as part of a Pittsburgh Teachers Institute seminar assignment. I became so captivated with everything I read that I wanted to find more writings both about him and by him.

Journalists and scholars wrote descriptions of Darrow's actions that could easily be excerpts from suspense novels or promotions for hit movies. Professor Douglas Linder said of Darrow's twelve hour verbal attack against the death penalty at the Leopold-Loeb trial, "Mixing poetry and prose, science and emotion, a world-weary cynicism and a dedication to his cause, hatred of bloodlust and love of man, Darrow takes his audience on an oratorical ride that would be unimaginable in a criminal trial today." About the Bill Haywood Trial, Linder seems to be announcing a dramatic performance. He says, "Featuring James McFarland, America's most famous detective; Harry Orchard, America's most notorious mass murderer turned state's witness; Big Bill Haywood, America's most radical labor leader; and Clarence Darrow, America's most renowned defense attorney, the Haywood trial ranks as one of the most fascinating criminal trials in history." Interesting writing shows students that they do not have to be boring when they produce informational, non-fiction pieces.

I think that my students will be as taken as I was when they begin reading about Clarence Darrow. As we delve into his writing and speaking talent through research and film clips, students will develop a clear picture of what effective public speaking "looks" like and what great writing "sounds" like. Not only that, but students will have an opportunity to participate in high-powered discussions about social issues and themes that were important to Darrow, a real person - not just one created in a novel.

Objectives

By the end of this unit, students will know one major character from American history well, Clarence Darrow, so that they can make reference to him and his accomplishments when they are discussing and writing about issues in the literature they read and write about. They will identify the characteristics of a

good speech as illustrated by Darrow. Students will be able to imitate the style and rigor of Darrow as a speaker and writer. Students will also have a better understanding of the elements of fiction after seeing how they apply in real life situations. Students will demonstrate proficiency in the use of technology to conduct research and to give presentations. They will also complete a well designed and delivered persuasive speech as one of their activities for the novel *Fahrenheit 451*. They will use Darrow's techniques and style to defend an issue raised in the book, perhaps the main character's right to own and read books or the firemen's right to set fires. This is another way of connecting this unit to the existing curriculum.

Strategies

Background Information

Introduction

Students will work in pairs to research the life and accomplishments of Clarence Darrow. Each pair will select one topic about Clarence Darrow to research and present to the class. After each presentation, the class will discuss the issues that the information encompasses. These issues may include family dynamics, the relationship between government and personal rights, the plight of the poor, the American justice system and the idea of commitment. The information about Clarence Darrow's life and legal cases is intriguing, captivating and suspenseful. Once students get a taste of the fascinating literature about Darrow, they will be motivated to find out more about his experiences. They will create and maintain a journal that records their responses and reactions to topics and issues brought up during the presentations and discussions. Pieces that the students read throughout the year often touch on these issues, so the Darrow discussions will give students a real-life point of reference for many of the selections they read later.

The Life of Clarence Darrow

The April 20, 1927 issue of *The Nation* which appears in *The Nation Classroom Archives* gives the following overview of Clarence Darrow's life and career. Clarence Darrow was born in Kinsman Ohio on April 18, 1857. He was influenced greatly by his father, Americus Darrow, who was an ordained Unitarian minister for a short while. Americus eventually became an agnostic and did not allow the bible in his home. In fact, he became known as the town atheist, and used the writings of Thomas Paine as the family bible. Americus had a passion for books, and he insisted that his children also learn to love books. His political views were as radical as his religious views. He read all the works of

Darwin, Huxley and Spencer. He became a fervent abolitionist, and his house in Ohio was a stop on the Underground Railroad.

Clarence grew up across the street from a justice of the peace. He listened to the cases and tried to outdo the arguments he heard. The town blacksmith was also a justice of the peace and a lawyer. He allowed Darrow to use his books. After Darrow was admitted to the bar, he spent six years in Ashtabula as a city attorney. He moved to Chicago in 1887 at the age of thirty. His talent as an exceptional, dramatic speaker became apparent when he gave a rousing speech about free trade to a meeting of Democrats. Politicians immediately made him an assistant corporation counsel in charge of important cases. He had the opportunity to study the workings of city politics which caused him to become disillusioned about political democracy. Darrow eventually became one of the most powerful men in the city, and he joined the legal staff of Northwestern Railroad. This is when he began to question what workers were forced to endure. The city erupted after several policemen were killed in an explosion in Haymarket Square during protests for an eight hour work day. The city wanted labor leaders to pay for this tragedy. Darrow was touched by these men who were willing to face punishment for their ideas, and so he decided to learn more about these ideas. Hence, began Clarence Darrow's passion for the labor movement. His defense of Eugene Debs, who led the American Railway Union strike against the Pullman Company, marked the beginning of Darrow's fifteen year role as the country's premiere defender of labor. Most of his cases were criminal ones in hostile communities. His ability to persuade juries to bring in acquittals was the talk of the country.

Darrow felt that he was an advocate for the common man, for the unfortunate and downtrodden. With support from millions of people, Darrow could easily have sought power in the political arena. However, he did not want that. He was a labor lawyer and he was dedicated to his goal of speaking for those who could not speak for themselves. Several important trials kept him in the limelight. They clearly reflected his ability to turn an ordinary case into an extraordinary performance with far-reaching effects. These cases included: the Loeb-Leopold "kill for thrill" case; the Scopes trial addressing Darwinism versus creationism; the Sweet trials which charged eleven black men with the murder of a white man; the Bill Haywood Trial which dealt with the volatile union movement and the assassination of former governor, Frank Steunenberg; and the McNamara Dynamite Case which further showcased the violent union movement.

Famous Trials – There are many sources that give information about the well-known trials involving Clarence Darrow. The trial summaries that follow come primarily from a website titled Famous American Trials created by Professor Douglas Linder from the University of Missouri-Kansas City School of Law.

The Scopes Monkey Trials

This is the famous evolution versus creationism trial which took place in 1925 in Dayton, Tennessee. Twenty-four year old high school biology teacher, John Scopes, was charged with teaching the theory of evolution. This was illegal in Tennessee, a state that enacted a bill condemning any theory that spoke against divine creation. Like most of Darrow's famous cases, this one had garnered a great deal of public attention because it symbolized the fight between modernists and traditionalists. (According to Professor Catherine Lavender's article, "Modernism, a Working Definition," modernists rebelled against the mores of the Victorian era. Victorians believed in a single way of looking at the world and placed humans above nature. They also saw the world as being governed by God's will. Modernists blamed Victorians for such evils as slavery, racism and imperialism. They argued for varied ways of looking at the world. Traditionalists on the other hand, adhere to the traditional view.)

Actually, according to Professor Linder, the Scopes case was a set-up by the American Civil Liberties Union (ACLU) to challenge Tennessee's anti-evolution law. Scopes agreed to be the test case after he was approached by George Rappalyea, a coal company manager who was originally from New York. Rappalyea was sure that the controversial case would bring attention and revenue to the dwindling town of Dayton. He wanted science fiction writer H.G. Wells to prosecute the case, but Wells had no interest in it. Instead William Jennings Bryan, a three-time candidate for president, decided to join the prosecution team, and Clarence Darrow headed up the defense team. The trial began with a carnival-like atmosphere of banners, side-shows and lemonade stands.

During the trial Darrow's antics drew lively responses from the spectators. He insulted the judge, tripped up witnesses and used sarcasm and humor at will. Darrow's strategy was to have the case heard at the Supreme Court level so that laws such as the anti-evolution law would be declared unconstitutional. That is just what Darrow got. He changed Scopes' plea to guilty so that the case could eventually be appealed to the Supreme Court. This did not happen right away however. According to Linder, it took forty-three years to be ruled on at the Supreme Court level.

This very interesting case summary will motivate students to find out more about it. They may want to find out more about John Scopes, about Darwinism and creationism or to read the actual transcripts of the trial. During this trial Clarence Darrow demonstrated public speaking skills that reflected his ability to appeal to his audience, to understand human nature, to use highly sophisticated questioning strategies, to demonstrate his knowledge of all the issues related to the case and to

exude confidence and assertiveness. This case includes the issues of separation of Church and state, modernism vs. traditionalism and Constitutional rights.

Loeb-Leopold

Another fascinating Darrow case is the Leopold-Loeb case which took place in 1924. It was known as the “Kill for Thrill” case. It involved two teenagers who kidnapped and killed a fourteen year old boy for the thrill of it. They wanted to commit the perfect crime, and their victim was a boy who was at the wrong place at the wrong time. Eighteen year old Richard Loeb was an exceptionally intelligent young man from a wealthy family. He was the youngest graduate ever from the University of Michigan and the son of a Sears and Roebuck vice president. His partner, nineteen year old Nathan Leopold, was also highly intelligent and from a wealthy family. He was the son of a millionaire box manufacturer and a law student at the University of Chicago with plans of attending Harvard Law School. Leopold immersed himself in a number of interests including ornithology, philosophy and the teachings of Nietzsche. He was also in love with Loeb and thought of him as a “superman” who did not have legal obligations. This “superman” theory was one of Nietzsche’s teachings. Leopold and Loeb spent many hours planning this perfect crime of kidnapping, ransom and murder. The victim, Bobby Franks, was an acquaintance of both boys and also the son of wealthy parents. They came across Franks one day as they were driving a rented car. They asked him to get in and then one of the boys stabbed Franks to death with a chisel. Loeb and Leopold blamed each other for the actual killing. They stuffed Franks body into an old cement drainage culvert and then poured hydrochloric acid all over him to prevent him from being identified. They then used an alias to call the parents to demand a \$10,000 ransom. They assured the parents that Bobby was safe and unharmed. They told Mr. Franks that a taxi would pick him up at his home and take him to a place to drop off the money. However, just before Mr. Franks got into the taxi, the police called to say that they had found the body of Bobby Franks. They also found Leopold’s glasses that he unknowingly dropped as he was trying to hide the body. The glasses had an unusual hinge that made them easy to trace, thus the capture and arrest of Loeb and Leopold.

The public craved the death penalty for these “perverts,” “snakes,” “atheists,” “spoiled smart alics,” “mad dogs,” as prosecutor Robert Crowe referred to them. Therefore, Darrow decided that Leopold and Loeb should plead guilty instead of innocent by reason of insanity. Darrow would fight for life in prison rather than the death penalty. He wanted no jury, only the judge to decide on the sentence. Darrow said, "where responsibility is divided by twelve, it is easy to say 'away with him!'; but, your honor, if these boys are to hang, you must do it--it must be by

your cool, premeditated act, without a chance to shift responsibility." Darrow vehemently and emotionally condemned the death penalty. Darrow gave a twelve hour summation that brought tears to the eyes of almost everyone in the courtroom. Judge Caverly imposed a sentence of life in prison.

This real-life case reads like fiction. Indeed, a number of stage productions and films have been based on this case. I am sure that students will want to pursue more research about this case. They may want to know what finally happened to Leopold and Loeb. (Loeb was killed in prison, and surprisingly Leopold was released from prison after serving thirty-four years.) They may want to read Darrow's moving summation or prosecutor Crowe's closing statement. They will certainly make note of Darrow's cleverness, perceptiveness and talent as an orator. Students will see that the movie *Compulsion* captures this case well, and it allows the students to witness Orson Wells as defense attorney Jonathan Wilk who is clearly the fictionalized character of Clarence Darrow. This case highlights Darrow's ability to articulate strong emotional beliefs to his audience. It reflects the power of a strong commitment to working against all odds to eradicate a practice such as capital punishment that one passionately feels is wrong.. This case deals with the issues of society's responsibilities, man's inhumanity to man, the implications of wealth and family dynamics and right and wrong.

The Sweet Trials

The Sweet Trials are landmark cases in American race relations. These cases concern the trials of eleven black men who defended themselves as they were attacked at their home by a mob of angry white people. This occurred in 1925 in Detroit. Many blacks had flocked to Detroit during the automobile and manufacturing boom that began in 1915. There was a severe housing shortage for blacks, and their attempts to move into white neighborhoods consistently met with violence. This atmosphere prevailed when a black doctor, Dr. Ossian Sweet, bought an expensive home in a white neighborhood and attempted to move his family in. Because racial tensions were so high, Dr. Sweet gathered his brothers and several friends to join him and his wife for the move-in. He also informed the police that he was moving in, and he asked for protection. On move-in day a crowd of whites assembled outside, but they just left the Sweets with the warning that they had better move out the next day, or there would be trouble. The mob kept their word. Hundreds of people gathered outside of the Sweet home the next day and pelted it with rocks, potatoes and other missiles. Shots rang out from the second story of the house, hitting two people, one of whom died. The police rushed in and arrested all eleven men and charged them with first degree murder.

The defense attorneys were Clarence Darrow and Arthur Garfield Hays. The prosecution, Lester Moll, stated that the crime was premeditated murder because the victim was merely sitting on the porch, smoking his pipe when he was shot down for no reason. He claimed that the attack was unprovoked and that blacks had the right to live where they wanted, but they did not have the right to take away others' right to live. Darrow pointedly worked on a crossword puzzle while the prosecution gave this opening speech. Darrow and Hays then tried to recreate for the jury the feeling of fear that existed in the house. Darrow asked the all-white jury how they would feel if they were confronted by a mob of black people in a black community and were forced to shoot and then were tried by this same group of people. The case went to the jury, but they were unable to come up with a verdict, so the judge declared a mistrial. Darrow hoped that the state would dismiss the charges, but the state sought a second trial which went pretty much the same as the first. Darrow's final plea, however, was quite different. He begged the jury to consider the history and plight of the "Negro." He beseeched them to put no further obstacles in their way. He begged them to consider the need of blacks and whites for sanity and courage, for stability of the human race. Darrow stopped twice as if he were finished and then continued his speech as if there was something more that his heart urged him to convey. After the trial, the judge said that this was Darrow at his best and he would never hear anything like it again. The all-white jury found Henry Sweet not guilty.

Darrow's performance during this case shows how powerful one's delivery can be. His mannerisms, passionate language, eye contact and sincerity swayed a jury that seemed immovable at first. The issues of race relations, the effectiveness of community organizations and the idea of fighting back are all represented in this case. Students can easily relate to the situation presented here. Their curiosity about other details surrounding this case will lead them to further research.

The McNamara Dynamite Case. This summary comes from the following site:
<http://www.spartacus.schoolnet.co.uk/USAdarrow.htm>)

Bitter and violent eruptions involving various labor unions prevailed during the early 1900s. Among the violent occurrences were a series of bombings. James and Joseph McNamara were charged with bombing the Los Angeles Times Building, though it was believed that they were also responsible for two other bombings. The Times building was bombed on October 1, 1910. The blast weakened the second floor and it collapsed on the office workers below. Fire spread quickly, killing twenty-one people and injuring several others. Another bomb exploded at the home of the Los Angeles Times owner, Harrison Gay Otis, and a third bomb was found at the home of the secretary of the Merchants and Manufacturers Association. The police were able to trace the third bomb to the McNamara

brothers who were also active members of labor unions. They were arrested for the Los Angeles Times bombing, but many union people thought that they had been set up to crush the emerging labor union movement. However, Darrow learned that the police had uncovered a great deal of evidence against them. But Darrow also felt strongly that they did not mean to set fire to the Times building. He said that they lit dynamite outside of the building in an alley to scare non-union workers. Unfortunately, vapor from barrels of ink that were in the alley exploded and sent fire everywhere. Because of the overwhelming evidence against his clients, Darrow urged them to change their plea to guilty so that they could accept a plea bargain that would spare them from the death penalty.

This case raises the issue of violence as a means of bringing about change. Students will read more about the results of violence during the labor movement and compare them to the results of other violent movements such as civil rights, the Viet Nam protest and abortion clinic bombings. They will consider how non-violent protests have fared in comparison to the violent ones and draw conclusions about how to handle their own discontent with school and home issues. Students will analyze how Darrow appealed to the court on behalf of his clients. They will examine the importance of being able to see a situation from a variety of angles and then being able to effectively articulate their position. Darrow shows that one has to have a strong belief and passion for what is right in order to convince others to accept his point of view.

The Haywood Trial

According to Dr. Linder, the Haywood trial ranks as one of the most fascinating trials in history. William “Big Bill” Haywood, one of the most radical labor leaders of his time, was charged in 1907 with ordering the assassination of former Idaho governor Frank Steunenberg. Harry Orchard, the most wanted murderer in the country turned state’s witness to testify that Haywood was one of the people who ordered the murder. Orchard, who carried out the assassination, said that he had committed seventeen murders under orders from the WFM (Western Federation of Miners). The events leading up to this trial are filled with violent murders, bombings, denial of liberties and union unrest. Students will find many twists and turns in the plot of this trial which roughly marked the end of the fifteen year labor war in the western mines.

Once again, the issue of violence as a means of change surfaces as an issue for discussion. This case also takes a hard look at corruption in the ranks of the powerful. Students will make connections to situations in our current society that involve criminal activity among those that we should be able to trust. These situations may be as famous as Watergate or as innocuous as a student treasurer embezzling money from a school club. Through this case, Darrow continues to

reflect the power of his oratory skills. He is able to change minds, no matter how damaging the evidence, because of his ability to persuade. He is a master at appealing to the values of his audience and at directing their perception toward alternate outcomes. This is what I want the students to study.

Choosing a Jury

One reason why Darrow was so effective as a speaker was because he knew his audience well. He always considered the environment and atmosphere surrounding the case. His insight into human nature and his rules for a winning argument are clearly apparent in his technique for picking a jury. Darrow wrote an article in 1936 titled "How to Pick a Jury." His guidelines indicate that lawyers should know both sides of the case well. This is an important rule for students as they prepare persuasive pieces. Darrow looked for people who matched his client in class so that they would be sympathetic to his client's plight. He wanted people who looked neat and trim. Students are not picking or addressing a jury. Instead they are addressing an audience of their classmates and occasionally classmates and adults as is the case with mock trials and some student council meetings. However, Darrow's advice still applies. A speaker's appearance is important, and the student should identify those things that are important to the audience so that as speakers they can appear to sympathize with the audience's plight.

In his article, Darrow said, "the more a lawyer knows of life, human nature, psychology and the reactions of human emotions, the better he is equipped for the subtle selection of his so-called twelve men good and true." This statement confirms Darrow's attention to the study of human nature and all that it encompasses. This skill is at the essence of Darrow's success. If students are impressed by this at their young age, perhaps they will recognize the value of developing this talent within themselves. Darrow says that one cannot be too blunt when trying to analyze a person. This process requires "finesse, subtlety and guesswork." These are good characteristics for students to acquire as part of their behavior when learning about other people. Darrow also warns that a person may change significantly when another person enters his/her life. It may be a friend, enemy or wife that changes the dynamics of a person's life. Students can study this idea when they analyze characters in literature or when they are trying to understand actions of their friends or relatives. Students will read and critically examine the article "How to Pick a Jury." It is loaded with excellent advice on how to become a "student of life and human beings." Students can apply this advice to their own lives, and they can also use it to make the literature they read more memorable and more relevant. Students can apply real life methods to the study of character, setting, theme and the authors craft as they discuss and write about literature. Darrow's method gives students a mechanism for questioning the author and developing valid judgments about issues and ideas.

Summary of Techniques and Issues Presented in Darrow's Famous Cases

The discussion above reveals many issues that students may tackle during this unit. Darrow's personal life raises the issue of how a person's upbringing influences his/her values and choices. The Scopes trial introduces the issues of the separation of Church and State, modernism versus traditionalism and preserving Constitutional rights. The Loeb-Leopold case focuses on the issues of society's responsibility to own up to its shortcomings, man's inhumanity to man, the implications of how wealth affects family interactions and the age-old battle between right and wrong. The Sweet trials clearly illustrate the issues surrounding race relations, including the significance of community organizations and the idea of fighting back. The McNamara Dynamite Case encourages students to analyze whether or not violence is necessary to bring about significant change. The Haywood trial also deals with violence as a means to an end. It further looks at the issue of corruption in the upper ranks of important American organizations.

A review of all this background information about Clarence Darrow highlights the key to his success as a lawyer; he was an amazing orator. The attributes he cultivated to become such an effective speaker are many. Darrow had the ability to appeal to his audience because he worked hard at being a student of human nature. Based on what he learned about human nature, he developed sophisticated questioning techniques, and he always appeared confident and assertive. Of course, he also was sure to learn everything he could about all issues of the case. He was able to articulate his passion and strong emotional beliefs to his audience through his gift for telling the story in a way that grabbed the imagination and emotion of his audience. He was able to convey his feelings so effectively because of his strong commitment to defending what he thought was right. His extensive reading and observations enabled him to develop the cleverness and perceptiveness for which he was known. These powerful qualities were quite apparent in his delivery. His mannerisms, passionate language, eye contact and sincerity easily won over his audience. He knew all the angles and was able to turn the kaleidoscope so that everyone could clearly see the variety of possibilities. This was the secret to his power of persuasion. It enabled him to change minds regardless of the damaging evidence. He knew how to use finesse, subtlety and guesswork to shape his approach, and he always took the unexpected into account.

Preparing a Report of Information

Nearly all students have given oral reports of some type, so preparing a report of information for this unit will not be an entirely new experience. The challenge for them will be to collect enough information to satisfy the assignment tasks,

organize information effectively, prepare appropriate *PowerPoint* slides and follow the rules for an effective oral delivery. These are the basic elements of a good presentation. The first steps include planning, preparation and structure. Students must plan the contents of their presentation and collect the information. They should consider the purpose of the presentation and what the audience wants to know. Students should collect notes on note cards, in their notebooks or in a Word document on the computer. They must then rehearse a draft of the presentation so that they become very familiar with the contents. This will allow them to organize the information logically and add necessary transitions and details. Students will then find it easier to avoid reading verbatim, using interrupters such as “Um” and “a,” speaking too fast or too slow, mumbling, avoiding eye contact, and standing stiffly. The quality of the delivery determines the quality of the communication that takes place between speaker and audience. Students should speak loudly and clearly. They should make eye contact with the audience and use gestures and movements that enhance the message. Students will prepare *PowerPoint* slides that are not distracting. The purpose of the slides is to enhance the important facts and details of the speech. Therefore, students should avoid noisy sound effects and wild animations. While there is an element of persuasion in all speeches, the purpose of this presentation is to give the audience information about an aspect of Clarence Darrow’s life and career and to objectively present issues that the class can discuss after the presentation.

Writing the Argument

Most teachers have their favorite formula for writing an effective, powerful persuasive essay or speech. The essay has rules that are more concrete than the persuasive speech which depends so much on the oral delivery. However, the talented, experienced writer, like the orator, makes use of a repertoire of tools to compose a memorable, hard-hitting piece. As ninth graders, my students have not had a lot of practice along these lines, so my approach to helping them build their repertoire of tools is to give them an annotated outline to follow for both the speech and the essay. While working on a previous unit, I came across a method used by Mrs. Cindy Adams, a teacher at Vestavia Hills High School in Birmingham Alabama, which I tried with my class. The students produced writing and speeches that were much more appealing and dense than those that they usually compose at this stage. So, I will continue to take this approach for teaching students how to write an effective persuasive essay and give a powerful persuasive speech.

Mrs. Adams’ method for preparing the persuasive speech asks students to identify the general purpose and then the specific purpose of the speech. Students must then complete five steps: the attention step, the need step, the satisfaction step, the visualization step and the action step. They must also record their

sources. The explanation for each of the steps in developing the persuasive speech can be found via Mrs. Adams' homepage (adamscs@vestavia.k12.al.us.) I will also include an elaboration of these steps. I will ask my students to follow this same outline for writing their essays because it helps them to tap into their creative writing skills instead of sticking only with the boring facts of the issue. While students will use the same outline for both genres, they must realize that the written piece must stand on its own. It cannot depend on physical gestures, voice intonation or wordy examples, all of which may work in the presentation of a speech. In writing the essay, students will have the challenge of developing an effective style, one that showcases their ability to display effective syntax and appropriate supporting details. Good organization, the use of vivid details, impressive references and the elimination of unnecessary information are essential ingredients of an outstanding essay.

The first step, the attention step is, of course, meant to capture the audience's attention. Mrs. Adams suggests: a rhetorical question, a startling statement, a quotation, an illustration or story, a reference to the subject or a reference to the occasion. Students should further motivate the audience's interest in the topic by alluding to: the practical value of the information for the audience; a reason to listen; or the audience's sense of curiosity. The speaker should also establish his/her credibility by recounting a first-hand experience or referring to specific sources he/she has consulted. Students should then help the audience to focus on the main issues by previewing the main points and defining any technical terms that will be used.

Next is the need step. Students must first decide if they want to suggest a change in current actions or demand preservation of present conditions. If they are asking for change, they should point out what is wrong with the present conditions. If they want to preserve present conditions, they should point out the danger of a change. Mrs. Adams explains that the need step is developed by the use of illustrations, ramifications and pointing. Students should tell one or more incidents that illustrate the need. They should use as many additional facts, examples and quotations as are required to make the need convincing. They should also point out the issue's importance to the audience.

The satisfaction step presents a solution. Students should choose one or more of the following strategies: give a brief statement of the attitude, belief or action they want the audience to take; present an explanation to make sure that the proposal is understood; present a theatrical demonstration point-by-point to show how the solution meets the need pointed out in the need step; give practical examples that show where this proposal has worked effectively; anticipate objections and show how the proposal overcomes any objections that might be raised.

The visualization step requires students to create a vivid, realistic picture of the future. To create a positive picture, put the audience in a situation where they picture themselves enjoying the safety, pleasure or pride that the proposal will produce. If students want to create a negative visualization, they should describe conditions if the solution is not carried out. They should try to make the audience feel the unpleasantness that will exist if the speaker's solution is not realized. Students can also use a contrasting approach by having the audience visualize the negative picture first, and then seeing the positive results produced by the desirable solution.

The action step may be developed in several ways. Students may give a restatement of the main idea and summary of the main points. They may present a statement of specific action or attitude change they want from the audience. They may give a statement of personal intent to take the recommended course of action, or they may give a memorable concluding statement, a reason for the audience to remember.

Class Activities

Getting Started – Tell a Story

I will begin this unit by using my best story-telling techniques to tell the story of Clarence Darrow. I will start by giving the class several scenarios from Darrow's cases, scenes that seemed as if Darrow could not outdo the prosecution, and then ask how they would respond if they were in Darrow's shoes. I will encourage creative responses and then tell them how Darrow handled it. One example of this is the scene from the Scopes' trial where the prosecution is easily proving that Scopes broke the law by teaching Darwinism because Tennessee law clearly states that if it's not in the Bible, teachers may not teach it. Scopes admitted that he covered Darwin's "monkey" theory; therefore, he is admitting guilt. After the students explain how they would defend Scopes, they should examine the unexpected strategy that Darrow used of calling the prosecutor (Bryan) to the stand to answer questions. Darrow's strategic questioning, forced Bryan into contradicting himself. Bryan was compelled to admit that not everything in the Bible was meant to be taken literally. This admission was a stunning blow to the prosecution. Further, Darrow had Scopes agree to change his plea to guilty which made closing speeches unnecessary, thus, robbing Bryan of the opportunity to redeem himself in closing arguments. Did Darrow win the case? No, but winning at this level was not his goal. He wanted the case to progress to the Supreme Court where the ruling would be much more far-reaching.

Details of the Loeb and Leopold trial will certainly pique students' interest. I can tell the gory details of the case and ask students how they would convince a court to not execute these men for such a heinous crime. I am hoping that as students put themselves into the shoes of the defense attorney, they will more clearly envision the skills necessary to perform tasks that require higher level thinking. By building Darrow as an interesting character, one that they would find in good fiction, students should begin to notice how interchangeable the characteristics of real and fictional people are. As teachers we often tell students that authors develop fictional characters that are so real we feel as if we know them personally. Also, the purpose in telling the story of Clarence Darrow in a dramatic manner is to model Darrow's grandiose style of speaking. When students present information about his cases, they will deliver dramatic re-enactments also.

Class Discussion – Family Dynamics

Now that the students are interested in the person who was able to accomplish so much just by speaking, I will give background information in the form of a story. For instance, I might start by saying, "Clarence was a very strange little boy, and his father was even stranger..." After giving Darrow's background, a discussion about family dynamics can ensue. Students can talk about how their parents influence the course of their lives. Responses will certainly include a variety of possibilities from no father at home to mothers who are too strict or very lenient to wanting to be just like their father or mother. This can encourage students to come up with some conclusions about role models. An example of such a conclusion is that one of the reasons why affirmative action helped many underrepresented groups is because they had no one to imitate, no one to set the standards, attitudes and actions because American society of the past robbed many people of stable families. After the discussion, students should complete a journal entry that addresses the social issue: Are role models important? How does one's home life affect his/her path in life? Students should apply these questions to Clarence Darrow and then to their own experience. I will prepare the issue question ahead of time so that students are directed toward a specific goal for their discussion. Many of the short stories, novels and poems that the students read incorporate this issue of family dynamics. Students can refer back to this journal entry when the topic arises elsewhere. I will continue this background information by telling the class a little about each of the cases that are summarized in this unit. They will also view the movie *Compulsion* or *Inherit the Wind* so that they can take advantage of a visual interpretation of one of Darrow's cases. I will also show them sections of a stage performance by Henry Fonda titled, *Clarence Darrow*. This one-man dramatic performance takes the audience

through all of Darrow's major cases. These activities should motivate students to engage in in-depth research of Clarence Darrow.

The Word Wall

Teachers in our school are required to maintain a "word wall," to improve student vocabulary and encourage them to remain focused on the unit. I will include words such as jury, prosecution, defense, trial, agnostic, Darwinism, and creationism. Students will add the definitions to the wall as we encounter them. As the class continues with activities that introduce new terms, they will add them to the word wall.

Student Presentations – Informative Speech

Students will now have an opportunity to explore one of Clarence Darrow's cases and present a report to the class. Their task is to work with a partner to research a Clarence Darrow case and then prepare a *PowerPoint* presentation to deliver to their classmates. The information the team presents must give the facts of the case as well as related information such as the social and political environment and details of the players' personal lives. They must emphasize the unique talents of Clarence Darrow as reflected in their particular case. The presentation must also include a dramatic re-enactment of some part of the trial that showcases Darrow's oratorical skill. The class will complete individual evaluations of the presentations based on a rubric that they develop before the presentations begin. They will share their comments so that everyone will pick up strategies for improvement. An organized discussion will follow each presentation. Presenters must prepare discussion questions that address issues brought up in their reports. Students must take notes during the discussion so that they can use them for a twenty-minute on-demand essay that they will write during this unit. The class will also complete an evaluation of the discussion session. In the past, this strategy of evaluating the discussion has encouraged students to stay on task and remain focused throughout the discussion.

Writing the Argument

After all presentations and discussion sessions have been completed, the class will compile a list of all the issues discussed during the unit and review the conclusions reached for each topic. They will then participate in a twenty-minute on-demand essay activity. They will choose one of the issues from the list and write an essay that persuades their audience to their point of view on the topic. Students may use their notes and journals as they compose their argument. They should also refer to the directions for writing an effective persuasive essay.

Students will have only twenty minutes to write the essay. This is good practice for standardized tests which require writing on demand. This twenty-minute essay will also be the basis for a more in-depth persuasive essay.

For their twenty-minute essay, students will probably choose an issue they encountered in their own presentations because they will have examined the relevant information associated with that topic. If they choose an issue that was not a part of their presentation, they probably have strong feelings about the topic and have a lot to say about it. Therefore, students should be well-equipped to write a good persuasive piece that follows the guidelines presented in the “Strategies” section of this unit. I will assess the twenty-minute essay holistically based on content, organization, focus, style and conventions. These categories are elements of the Pennsylvania Writing Rubric. Students will use that essay as a first draft of a better, revised essay. The rubric will include not only the PA Writing Rubric categories, but also the elements referred to on the outline for writing the argument. Students can find most of the details they need in their presentation notes, details such as quotes, anecdotes, expert sources and a strategy for organization.

The Persuasive Speech

At this point, presenting this essay as a persuasive speech will not be so intimidating to the students because they will know their topics well, and they will already have public speaking practice under their belts from the reports of information they presented. As the students prepare their speeches, they should reflect on how the speech will differ from the essay. For instance, the use of body language and voice intonation may urge the speaker to use phrasing that is different from that on the paper. The speaker may want to add a “what if...” story that would have been ineffective on paper but powerful in the spoken word. The speech assignment will ask students to consider their classmates as a jury of their peers. They are to make a case for the issue they choose and convince the “jury” to accept their point of view. They will be required to use as many of Clarence Darrow’s techniques as possible. This includes his strategies for winning over a jury. They should review his use of dramatic presentation, cleverness and perceptiveness to deliver a powerful summation. In effect, that is what the students will deliver, a summation. The class will have already discussed the issues during the presentation segment of the unit, so this activity sums up the arguments and makes a final statement in favor of the student’s point of view. Students will complete an evaluation sheet after each speech. The evaluation will indicate whether or not they were persuaded to the speaker’s point of view.

Other Applications

While the informative speech, persuasive essay and persuasive speech are the major assignments from this unit, the strategies gleaned from our study of Clarence Darrow will come into play during many other activities. Students will use the research, writing and speaking skills from this unit as a model for such assignments in other units. They can also use the facts they learned about Darrow as a reference when they are asked to identify instances or details that relate to other material they are studying in this class or other classes.

Reading List

Adams, Cindy. Studyguide.org. <http://www.studyguide.org/> 2003. This site contains the persuasive speech outline that I use in this unit.

Ammerman, Robert R. and Marcus G. Singer. *Introductory Readings in Philosophy*.

Scribner, New York, 1962.

This book contains a section by Clarence Darrow on crime and free will.

“Clarence Darrow Quotes.” *Brainy Quotes*.

http://www.brainyquote.com/quotes/authors/c/clarence_darrow.html

This site has twenty-eight quotations from Clarence Darrow. They may be useful to students as they plan their speeches and essays.

Darrow, Clarence and Wallace Rice. *Infidels and Heretics: An Agnostic's Anthology*. The Stratford Company, Boston, 1929.

This book has a collection of articles by a variety of authors including Darwin and Darrow. The articles express views on agnosticism.

Duffy, Bernard K. and Halford R. Ryan., editors. *American Orators of the Twentieth Century: Critical Studies and Sources*. Greenwood Press, New York, 1987.

This book contains a collection of articles about outstanding speakers. It includes biographical information and an examination of the speakers' craft.

Eastman, Herbert A. “Speaking Truth to Power: The Language of Civil Rights Litigators,” *Yale Law Journal*. Vol. 104, 1995.

This article contains an opinion by Darrow that discusses why “pleading” matters, particularly civil rights pleading.

Erikson, Kari T. *Wayward Puritans: A Study in the Sociology of Deviance*.

This text gives excellent background for how our society draws boundaries of acceptable behavior.

Felton, Keith Spencer. *Warriors' Words: A Consideration of Language and Leadership*. Praeger Publishers, Westport CT. 1995

This book examines the speeches and papers of famous orators and focuses on communication activities within a political context. It is part of a series of nearly forty volumes.

“Graphic Organizers.” Education Place.

<http://www.eduplace.com/graphicorganizer/>

This is a terrific resource for every type of graphic organizer. You may print them for your use.

Harris, Robert. "Ideas for Enhancing Oral Reports," Virtual Salt.
<http://www.virtualsalt.com/oralrpt.htm> June 29, 1997.

This site gives good advice for preparing an effective oral report.

Jensen, Richard J. and Halford R. Ryan. *Clarence Darrow: The Creation of an American Myth*. Greenwood Press, New York, 1992.

This book examines the "myths" surrounding Darrow's greatness. It is a good resource for finding out opinions on what makes Darrow tick.

Larsen, Edward J. *Summer of the Gods: The Scopes Trial and America's Continuing Debate over Science and Religion*. Basic Books, New York, 1997.

This book tells the story and controversy of the Scopes trial and Darrow's role in it.

Lavender, Catherine. "Modernism – A Working Definition." The Honors College of the College of Staten Island of the City University of New York. 1998.

<http://www.library.csi.cuny.edu/dept/history/lavender/moddef.html>

This is a good site to use to define terms.

Linder, Prof. Douglas. *Who is Clarence Darrow? The Clarence Darrow Home Page*. <http://www.law.umkc.edu/faculty/projects/ftrials/darrow.htm>

This website presents comprehensive information about Darrow's life, work, teachings and important cases

Morris, Cynthia and Bryan Vila. *Capital Punishment in the United States: A Documentary History*. Greenwood Press, Westport, CT, 1997.

This book contains two documentaries by Darrow: "Is Capital Punishment a Wise Public Policy?" and "Resist Not Evil."

"Oral Report Criteria."

http://www.sfusd.k12.ca.us/schwww/sch618/Music/Oral_Report_Criteria.html .

I modified this evaluation sheet slightly and used it in this unit to evaluate the students' oral presentations.

"Oral Report/Panel Discussion." *Information Literacy Guide – Creating & Presenting Information*. Eugene School, District 4.

<http://www.4j.lane.edu/libraryservices/guide/>

This is a great site for information on conducting research and giving presentations.

“Planning and Presenting Your Oral Presentation.” Southern University
Carbondale Campus. <http://www.siu.edu/~tw3a/orallec.htm>

This gives an outline of do’s and don’ts for oral presentations.

“The Scopes Trial,” *The Nation Classroom Archives*. April 20, 1927.

This issue of *The Nation* gives interesting details about Darrow’s background and his role in the Scopes’s trial.

Thomas, Art. Clarence Darrow. <http://www.positiveatheism.org/hist/darrow1.htm>

This site contains biographical information about Darrow. It also has links to the text of several of Darrow’s writings.

Appendix A
Student Handouts

Persuasive Speech Outline

Source: (http://www.studyguide.org/cm101_persuasive_speech.htm#Persuasive%20Speech%20Parts%20Explained)

General Purpose:

Specific Purpose:

ATTENTION STEP

I. Opening Statement of Interest

A. Reason (s) to Listen

B. Speaker Credibility

C. Thesis Statement

NEED STEP

II. Statement of Need

A. Illustration

B. Ramifications

1.

2.

C. Pointing

SATISFACTION STEP

III. Statement of Solution

A. Explanation of Solution

B. Theoretical Demonstration

1.

2.

3.

C. Practical Experience

D. Meeting Objections

1.

2.

VISUALIZATION STEP

IV. Restatement of Proposed Solution

A. Negative Visualization

B. Positive Visualization

ACTION STEP

V. Restatement and Summary

A. Statement of Specific Action or Attitude Change

B. Statement of Personal Interest

C. Reason to Remember

SOURCES:

1.

2.

3.

4.

5.

Persuasive Speech Parts Explained

Begin with an Attention Step that is an

Opening statement of interest (use one or more of the following):

A rhetorical question

A startling statement

A quotation

An illustration or story

A reference to the subject

A reference to the occasion

Motivate audience interest in your subject by alluding to: (use one or more of the following):

The practical value of the information for your audience

A reason to listen

The audience's sense of curiosity

Establish your credibility by:

Alluding to any first-hand experience you may have had

Alluding to sources of information you have consulted

Provide orienting material by: (use one or more of the following):

Previewing main points

Defining any technical terms that you will be using

Need Step

There are potentially two kinds of needs (your speech uses one of these):

To urge a change-point out what's wrong with present conditions

To demand preservation of present conditions-point out the danger of a change

The Need Step is developed by:

Illustration: *Tell of one or more incidents to illustrate the need*

Ramifications: *Employ as many additional facts, examples, and quotations as are required to make the need convincingly impressive.*

Pointing: *Show its importance to the individuals in the audience.*

Satisfaction Step *presents a solution.*

The Satisfaction Step is developed by (use one or more of the following):

Statement of solution: *a brief statement of the attitude, belief, or action you wish the audience to adopt.*

Explanation: *Make sure that your proposal is understood.*

Theoretical demonstration: *show how the solution logically and adequately meets the need pointed out in the need step, point-by-point!*

Practical experience: *actual examples showing where this proposal has worked effectively or where the belief has proven correct.*

Meeting objections: *forestall opposition by showing how your proposal overcomes any objections which might be raised.*

Visualization Step: *The visualization step must stand the test of reality. The conditions you describe must be at least realistic. The more vividly you make the situation seem, the stronger will be the reaction of the audience. There are three methods of visualizing the future. (use one or more of the following):*

Positive: *Describe the conditions if your solution is actually carried out. Picture the listeners in that situation actually enjoying the safety, pleasure, or pride that your proposal will produce.*

Negative: *Describe conditions if your solution is not carried out. Picture the audience feeling the bad effects or unpleasantness that the failure to effect your solution will produce.*

Contrast: *Combination of 1 and 2. Begin with the negative method (undesirable situation) and conclude with the positive method (desirable solution).*

Action Step: *developed by (use one or more of the following):*

Restatement of main idea and summary of main points.

Statement of specific action or attitude change you want from the audience.

A statement of your personal intent to take the course of action or attitude recommended.

A concluding statement to recapture interest (a reason to remember).

Criteria for Grading Oral Reports

Assignment – Choose one of the Clarence Darrow cases that we discussed. Along with a partner, find out as much as you can about the case. Include the social and political climate of the time and all pertinent facts of the case itself. Also include interesting information associated with the case such as details of the personal lives of the characters involved. Create a *PowerPoint* slide presentation that outlines all of the important details of your topic. Using your best delivery techniques, present your findings to the class. In addition, you must prepare questions and lead a discussion on the issues that appeared in your report.

(Based on criteria found at:

http://www.sfusd.k12.ca.us/schwww/sch618/Music/Oral_Report_Criteria.html)

Names:

Topic:Period Date

A (outstanding) B (good) C (O.K.) D (poor) F (not done or poorly done)

Before the Report - PROCESS 25%

- Research (books, internet, interview, video, etc.):

Prepared to start: had materials, knew where to begin

Planning: Had an idea of what the project would look like; prepared an outline.....

Used class time to get information

Used time outside of class to do research.....

Outlined, took notes on information, kept notes in order

Prepared notes on 3 X 5 cards or in notebook

Prepared PowerPoint Slides.....

Worked well with partners on task

Participated in activities/experiences for report

Rehearsed with partner with visuals, notes.....

Content and Organization of the Report : 35% -PRODUCT

There was enough information given.....

The report was interesting & informative.....

There was evidence of participation in activities and learning.....

Organization: Clear, well organized with a clear introduction, body (with examples), and conclusion

Information was complete

The report was balanced between the members; each participated.....

Presentation / Delivery 25%

Voice: Clear and loud enough.....

Pacing: not too fast or too slow.....

Eye contact with the audience.....

Used notes & knew topic (didn't read report).....

The presentation was rehearsed.....

Speakers worked well together (each knew roles).....

Speakers knew subject; could speak with authority; could answer follow-up questions.....

Creative, humorous, relaxed, seemed interested.....

Speakers involved the audience (demonstration, participation).....

PowerPoint Slides 15%

Used slides to clarify ideas.....

Slides were easy to read.....

Slide effects were not distracting

Comments:

Class Discussion Evaluation

Discussion Topic _____

Discussion Leaders _____

Evaluator _____ Date _____

Rate the discussion leaders' performance in each category according to the following scale.

4= excellent 3= good 2=fair 1= poor

The discussion leaders:

1. Kept the discussion focused on the topic

4 3 2 1

2. Encouraged everyone to participate

4 3 2 1

3. Asked deep divergent questions

4 3 2 1

4. Connected responses to previous comments

4 3 2 1

5. Summarized responses as needed

4 3 2 1

6. Interacted with participants in a respectful manner

4 3 2 1

COMMENTS:

Persuasive Essay Evaluation

Name _____ Date _____
 Title _____

Assignment: Select one of the topics from the list of issues compiled from the presentations on Clarence Darrow and write a well-developed essay that persuades the reader to agree with your position. You should use your notes, and be sure to address the characteristics of an effective persuasive essay by referring to the requirements listed on the persuasive speech handout.

My essay:

1. has an attention-getting opening statement	5	4	3	2	1
2. uses strategies to motivate the reader's interest	5	4	3	2	1
3. defines terms and previews main points	5	4	3	2	1
4. clearly states the "need" (change/no change)	5	4	3	2	1
5. uses illustration, ramifications or pointing	5	4	3	2	1
6. states a solution	5	4	3	2	1
7. gives a theoretical example of solution	5	4	3	2	1
8. addresses possible objections	5	4	3	2	1
9. uses vivid details to describe situations	5	4	3	2	1
10. summarizes main points	5	4	3	2	1
11. has an action statement	5	4	3	2	1
12. remains focused on the topic	5	4	3	2	1
13. is organized logically	5	4	3	2	1
14. reflects a unique, mature writing style	5	4	3	2	1
15. has few/no errors in conventions	5	4	3	2	1
16. is typed neatly	5	4	3	2	1

SCALE – A (80-72) B (71-64) C (63-49) D (48-37) E (36-0)

Appendix B - District Communications Standards

The activities in this unit meet the following Communications Standards:

1. *All students use effective research and information management skills, including locating primary and secondary sources of information with traditional and emerging library technologies.* This is evident in the students' use of internet as well as printed resources. Students also utilize primary sources when they access documents used in the cases.
2. *All students read and use a variety of techniques to make sense of various kinds of complex texts.* During this unit students will read articles from books, internet sites, magazines and pamphlets. They will participate in discussions, complete writing assignments and tap prior knowledge as they talk about various issues.
3. *All students respond orally and in writing to information and ideas gained by reading narrative and informational texts and use this information and ideas to make decisions and solve problems .* The assignments and activities in this unit require students to give oral presentations and to discuss topics about a variety of social issues. They must also complete a variety of written assignments.
4. *All students write for a variety of purposes including to narrate, inform and persuade in all subject areas.* Students will complete written assignments that narrate specific situations in the cases they research.. They will also write research reports and persuasive essays.
5. *All students analyze and make critical judgments about all forms of communication, separating fact from opinion, recognizing propaganda, stereotypes , bias and recognizing inconsistencies and judging the validity of evidence.* Students will apply this standard as they read about and discuss the information pertaining to their presentations.
6. *All students exchange information orally, including understanding and giving spoken instructions, asking and answering questions appropriately, and promoting effective group communications.* The activities in this unit require discussion and group work as students complete the presentation and discussion components.

7. *All students listen to and understand complex oral messages and identify the purpose, structure and use.* Students must apply this standard as they listen to classroom instructions and take notes about completing various assignments.
8. *All students compose and make oral presentations for each academic area of study that are designed to inform, persuade and describe.* Students will make oral presentations of their research topics and give persuasive speeches using techniques studied in this unit.