

Analyzing Atticus's Closing Argument

SUGGESTED LEARNING STRATEGIES: Close Reading, Marking the Text, SMELL

from *To Kill a Mockingbird*, Chapter 20

“Gentlemen,” he was saying, “I shall be brief, but I would like to use my remaining time with you to remind you that this case is not a difficult one, it requires no minute sifting of complicated facts, but it does require you to be sure beyond all reasonable doubt as to the guilt of the defendant. To begin with, this case should never have come to trial. This case is as simple as black and white.

“The state has not produced one iota of medical evidence to the effect that the crime Tom Robinson is charged with ever took place. It has relied instead upon the testimony of two witnesses whose evidence has not only been called into serious question on cross-examination, but has been flatly contradicted by the defendant. The defendant is not guilty, but somebody in this courtroom is.

“I have nothing but pity in my heart for the chief witness for the state, but my pity does not extend so far as to her putting a man’s life at stake, which she has done in an effort to get rid of her own guilt.

“I say guilt, gentlemen, because it was guilt that motivated her. She has committed no crime, she has merely broken a rigid and time-honored code of our society, a code so severe that whoever breaks it is hounded from our midst as unfit to live with. She is the victim of cruel poverty and ignorance, but I cannot pity her: she is white. She knew full well the enormity of her offense, but because her desires were stronger than the code she was breaking, she persisted in breaking it. She persisted, and her subsequent reaction is something that all of us have known at one time or another. She did something every child has done—she tried to put the evidence of her offense away from her. But in this case she was no child hiding stolen contraband: she struck out at her victim—of necessity she must put him away from her—he must be removed from her presence, from this world. She must destroy the evidence of her offense.

“What was the evidence of her offense? Tom Robinson, a human being. She must put Tom Robinson away from her. Tom Robinson was her daily reminder of what she did. What did she do? She tempted a Negro.

“She was white, and she tempted a Negro. She did something that in our society is unspeakable: she kissed a black man. Not an old Uncle, but a strong young Negro man. No code mattered to her before she broke it, but it came crashing down on her afterwards.

“Her father saw it, and the defendant has testified as to his remarks. What did her father do? We don’t know, but there is circumstantial evidence to indicate that Mayella Ewell was beaten savagely by someone who led almost exclusively with his left. We do know in part what Mr. Ewell did: he did what any God-fearing, persevering, respectable white man would do under the

My Notes



WORD CONNECTIONS

Circumstantial is an adjective meaning “having to do with certain facts or conditions.” The prefix *circum-* derives from the Latin word *circum*, meaning “around.” English has many words beginning with *circum-*. They include *circumference*, *circumnavigate*, and *circumvent*.

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GRAMMAR & USAGE

Parallel structure is the use of the same grammatical structures—words, phrases, or clauses—to balance related ideas. Writers perform this balancing act because it makes their writing more effective. Readers can see the commonalities and relationships clearly when the structures are parallel.

Example: . . . the assumption . . . *that all Negroes lie, that all Negroes are basically immoral beings, that all Negro men are not to be trusted around our women.* . . . (parallel adjective clauses)

circumstances—he swore out a warrant, no doubt signing it with his left hand, and Tom Robinson now sits before you, having taken the oath with the only good hand he possesses—his right hand.

“And so a quiet, respectable, humble Negro who had the unmitigated temerity to ‘feel sorry’ for a white woman has had to put his word against two white people’s. I need not remind you of their appearance and conduct on the stand—you saw them for yourselves. The witnesses for the state, with the exception of the sheriff of Maycomb County, have presented themselves to you gentlemen, to this court, in the cynical confidence that their testimony would not be doubted, confident that you gentlemen would go along with them on the assumption—the evil assumption—that *all* Negroes lie, that *all* Negroes are basically immoral beings, that *all* Negro men are not to be trusted around our women, an assumption one associates with minds of their caliber.

“Which, gentlemen, we know is in itself a lie as black as Tom Robinson’s skin, a lie I do not have to point out to you. You know the truth, and the truth is this: some Negroes lie, some Negroes are immoral, some Negro men are not to be trusted around women—black or white. But this is a truth that applies to the human race and to no particular race of men. There is not a person in this courtroom who has never told a lie, who has never done an immoral thing, and there is no man living who has never looked upon a woman without desire.”

Atticus paused and took out his handkerchief. Then he took off his glasses and wiped them, and we saw another “first”: we had never seen him sweat—he was one of those men whose faces never perspired, but now it was shining tan.

“One more thing, gentlemen, before I quit. Thomas Jefferson once said that all men are created equal, a phrase that the Yankees and the distaff side of the Executive branch in Washington are fond of hurling at us. There is a tendency in this year of grace, 1935, for certain people to use this phrase out of context, to satisfy all conditions. The most ridiculous example I can think of is that the people who run public education promote the stupid and idle along with the industrious—because all men are created equal, educators will gravely tell you, the children left behind suffer terrible feelings of inferiority. We know all men are not created equal in the sense some people would have us believe—some people are smarter than others, some people have more opportunity because they’re born with it, some men make more money than others, some ladies make better cakes than others—some people are born gifted beyond the normal scope of most men.

“But there is one way in this country in which all men are created equal—there is one human institution that makes a pauper the equal of a Rockefeller, the stupid man the equal of an Einstein, and the ignorant man the equal of any college president. That institution, gentlemen, is a court. It can be the Supreme Court of the United States or the humblest J.P. court in the land, or this honorable court which you serve. Our courts have their faults, as does any human institution, but in this country our courts are the great levelers, and in our courts all men are created equal.

“I’m no idealist to believe firmly in the integrity of our courts and in the jury system—that is no ideal to me, it is a living, working reality. Gentlemen, a court is no better than each man of you sitting before me on this jury. A court is only as sound as its jury, and a jury is only as sound as the men who make it up. I am confident that you gentlemen will review without passion the evidence you have heard, come to a decision, and restore this defendant to his family. In the name of God, do your duty.”

Atticus’s voice had dropped, and as he turned away from the jury he said something I did not catch. He said it more to himself than to the court. I punched Jem. “What’d he say?”

“In the name of God, believe him, I think that’s what he said.”

When you have read this passage, analyze Atticus’s speech for the rhetorical structures and devices he uses to convince the reader. Highlight the five elements of an argument (hook, claim, concessions/refutations, support, and summary/call to action).

My Notes



WORD CONNECTIONS

Legal arguments often use a persuasive technique of *ad hominem*, which is Latin for “argument against the person.” An *ad hominem* appeal points out that a person may be disposed to take a particular position. Find an example of *ad hominem* in the excerpt from Chapter 20 of *To Kill a Mockingbird*.

Analyzing Atticus's Closing Argument

Perform a close reading of Atticus's famous closing statement. Use the SMELL strategy to analyze the quality and credibility of his evidence for this particular audience.

S = Sender-Receiver relationship. Atticus is the sender. The jury and the audience are the receivers. What is the relationship among Atticus, the jury, and the audience? Whom does Atticus mean to influence with his statement? What attitudes and assumptions does his target audience hold towards his subject? Towards Atticus himself?

M = Message. What is Atticus's message? Summarize the statements made in his closing argument.

E = Emotional strategies. Does Atticus use any statements that are meant to get an emotional reaction from his audience? Explain. If so, what is the desired effect?

L = Logical strategies. Does Atticus use any statements or appeals that are logical? Explain. How does the logic (or its absence) affect the message?

L = Language. Look for specific words and phrases chosen by Atticus, and consider how the language affects his message.

As you watch the film version of the courtroom scene, fill out the chart below, looking for specific elements from the scene.

<p>What images does the director present to the audience in this scene?</p>	<p>What images does the director consciously choose NOT to present to the audience?</p>	<p>What did you notice about the relationship between the speech and the images?</p>	<p>What changes or deletions did you notice in the text of Atticus’s speech?</p>

Discussion Questions:

1. How do the director’s choices affect the way we respond to the scene?
2. How do the changes in the text of the speech affect the message of the speech (if they do)?
3. Why do you think the director changed the speech in this way (other than to shorten it)?

Writing Prompt: Write a paragraph analyzing the use of appeals in Atticus’s closing argument. In your paragraph, relate your analysis to the ideas of justice and equality.