



Essay

The Spirit of Liberty: A Perpetual Anniversary

BY JUDITH S. KAYE

For many years, I had framed on my office wall these stirring words of Judge Learned Hand, knowing that they were his but nothing more about them:

“Liberty lies in the hearts of men and women; when it dies there, no constitution, no law, no court can save it; no constitution, no law, no court can even do much to help it. 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 minds 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 sparrow falls to earth unheeded...”

Recently in preparing to receive the Learned Hand Award from AJC Long Island, a global Jewish advocacy organization, I did a bit of digging about those words, and found a rich reward. I’ll put aside the many things I discovered about Judge Hand himself. (For example, his given name was Billings—quite a name for a lawyer; Learned was his mother’s maiden name, which he preferred.) I’ll just stay with Judge Hand’s stirring message. Astounding that it was delivered May 21, 1944—70 years ago—when we were immersed in World War II, weeks short of our landing on the beaches of Normandy (D-Day).

Even more astounding was my discovery of where those remarks were delivered: in a

Central Park ceremony where Judge Hand swore in 150,000 new citizens, before one and one-half million people—the largest crowd ever gathered in Central Park. Perhaps even more astounding was the fact that the remarks were simultaneously broadcast on the radio, but not reported in the press the next day.

Fortunately, Philip Hamburger, intrigued by both the broadcast and the absence of press, followed up personally with Judge Hand, wrote about the event for “Talk of the Town” in the *New Yorker*, and the rest of history.

My parents having both been immigrants to this country—my father an illegal immigrant, once even deported but successful in returning, again illegally—the remarks and the story about them swept me away.

On May 21, 1944, my parents were living in Monticello. Though they never shared their story or travails with my brother or me, my parents would surely have been thrilled to have been part of that group of 150,000 in Central Park had they been able to manage a trip into New York City. With I am certain the help of many Sullivan County neighbors, they did succeed in obtaining citizenship—my mother on Jan. 2, 1945, my father (obviously with a bit more difficulty) not until March 4, 1946. Where would I have been today, I wonder.

But that’s not the end of the story. At the AJC event, after Alon Kapen, a partner at Farrell Fritz and I were honored, Ann DeMichael delivered to each of us a citation from

Nassau County Executive Edward Mangano.

Her remarks made us both teary: “Judge Kaye, Judge Kaye, my father, an immigrant from Italy, was one of those 150,000 new citizens standing in Central Park on May 21, 1944!” What’s more, both of us were five years old at the time, our own futures directly at stake. We are indeed lifetime beneficiaries of the spirit of liberty at the foundation of this great nation.

Many times since that joyous evening in Long Island I have reflected on Ann DeMichael’s emotion-filled greeting, multiplying by tens of millions the people like us, proud American citizens, who are the beneficiaries of the spirit of liberty that, for us, defines America.

There are so many 2014 anniversaries—for starters, the 60th anniversary of *Brown v. Board of Education* and the 50th of the Civil Rights Act, reaffirming that it remains for us, each in our own way, to persist in reinvigorating the message that the spirit of liberty, genuine equal opportunity for all, lies in our hearts and in our hands.

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