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LOYALTY DAY*

AN ADDRESS BY GOVERNOR ARTHUR H. JAMES**

This is Loyalty Day. When we use the word "loyalty," I am not sure we all mean the same thing. For that matter, I am not sure that we are certain in our own minds what we do mean.

There are many kinds of loyalty. For example, there are loyalties to families, friends, and to our churches. These are all valuable and commendable but they are private and personal attachments. They are not the sort of emotions to be paraded in public ceremonies. There are also loyalties of another sort—misguided loyalties, which too can be ardent and binding. They usually represent a conflict of loyalties, in which the least desirable is the winner.

What is the loyalty we have in mind on Loyalty Day? It is difficult to define. I have sometimes heard it discussed as though it were loyalty to our government; this is an attractive view. We are all familiar with Decatur's words: "Our country! . . . may she always be right . . . but right or wrong, our country!" Certainly there is no higher obligation of patriotism than to give our nation wholehearted support when she needs it.

Blind loyalty to the government; however, is a somewhat different matter. This is reversing things a bit. Under our concepts, it is more to the point to demand that the government be unswervingly loyal to its citizens than that the citizens be unyieldingly loyal to the government. The government was created as the servant of the people, not the master. A basic premise of our Declaration of Independence is the right of the people to alter or abolish a government they believe has abused its just powers. If we revise the idea somewhat, and express it in terms of loyalty, not unswervingly to the government itself, but to our underlying concepts of free government, then the thought becomes more acceptable.

Much the same skepticism might be expressed regarding another statement concerning Loyalty Day—that it is dedicated to emphasizing loyalty to the law and to the Constitution. Again this is confusing. The law itself is a living, changing, evolving element in our civilization. Old statutes are amended and new ones are passed. Even our Constitution, the supposedly rock-ribbed foundation of our whole legal structure, changes dramatically from time to time. Not only is it amended upon occasion, sometimes in a most sweeping fashion, but new interpretations revise its application in still more dramatic ways. Every lawyer knows that the standard treatises on the American Con-

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stitution of fifty years ago are now largely obsolete and misleading. What is officially the law today deals in many areas with concepts and conditions wholly unknown to the statesmen who wrote the original provisions. It can be said with all accuracy that our founding fathers, were they able to return today, would be utterly dumbfounded to see the constructions now officially placed upon the words they wrote generations ago.

How then can we properly speak of loyalty to either law or Constitution? We can do so only in the sense of loyalty to the underlying concept of government by law as opposed to government by edict; to administration under definite regulations laid down publicly and enforced by public servants whom the public elected and can retire from office if they do not properly perform their trust. At the same time, the word "loyalty" should never be allowed to confuse the minds of American citizens with respect to their right to disagree with specific statutes or even the Constitution itself. Abraham Lincoln, whose loyalty few would care to challenge, not only disapproved of the Supreme Court's *Dred Scott* decision, but disapproved of the Court itself, suggesting that its decisions not be brought under the principle of stare decisis, but that each decision be limited to the particular facts with which it dealt.

Of all the conceivable kinds of loyalties, I think there is one which above all others should be borne in mind on this day; this is each man's loyalty to himself. Shakespeare phrased the idea this way: "To thine own self be true, and it must follow, as night the day. Thou canst not then be false to any man." Honor begins at home, and it begins with the individual. No free nation ever went astray from the top. Those which have failed and fallen into collapse and dictatorship did so because of decay and materialism at the grass-roots level, among the people. I recall to you another quotation, this one from Goldsmith: "Ill fares the land, to hast'ning ills a prey, where wealth accumulates, and men decay." Rome fell when bread and circuses became more attractive to the citizens than public morality and integrity. Hitler befuddled the German people with glittering promises that dazzled them into ignoring his atrocities at home and the ravishing of Germany's neighbors.

There are many opinions on whether symptoms of this sort are to be found in our own land and whether public morality in America is on the downtrend. Certainly there seems to be less censure and less shock in the public's reactions to knavery in prominent positions than some of us would like to see. There seems to be a general condonation of both force and trickery in attaining objectives—a lesser reliance upon lawful and orderly procedures, and more of a willingness to hold that the ends justify the means. Moreover, I suppose no one seriously challenges the assertion that our national economy is deeply mired in the slowly acting morass which has engulfed many nations

in the past—the quicksands of inflation. The rat-race of prices and wages may have been slowed to a crawl, but the direction remains the same. We have become so ensnarled with the fantasies and fallacies of slow inflation that we actually take seriously when it is presented as a national policy the concept that we can get rich quicker by going into debt, and that the way to balance our swollen budget is not to tighten our belts but to cut taxes and increase spending.

On the other hand, there is a sturdy common sense in America which time and again has come to the fore to bring our ship of state back upon her proper course when it seemed that no intervention save that of the Almighty could preserve us from disaster. The failure or success of free government hinges in the final analysis on the integrity and honesty of the individual citizens. If there is any way by which this appeal of Loyalty Day can be directed to inspiring all men and women to view their public officials and public issues honestly and fairly, promoting equal justice for every citizen, with the current generation playing the role of vigilant trustees of our national wealth and resources, then I believe the value of these ceremonies will be immensely increased.

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