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Patriotism

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Peace to his soul and to those others, his associates, of whom I have written here, to each of whom, I, in common with all the then young members of the bar of Louisville, owe a debt of gratitude for manifold kindnesses and a gracious ignoring of the errors we committed, so far as it was possible for them to do so. There may have been greater judges than Horatio W. Bruce, Henry J. Stites and Thomas B. Cochran, but I have yet to meet upon the bench or in the profession kinder or more gentle spirits. May the bench of Kentucky in the coming years know others of their kind is the heartfelt wish of the writer to whom the lengthening shadows bring the knowledge that he who in other years appeared before them, must soon stand before another Judge, a just one, from whose decrees there is no appeal, but in whom all kindness resides.

Patriotism

“Patriotism: Love and devotion to one’s country; the spirit that originating in love of country, prompts to obedience to its laws, to the support and defense of its existence, rights, and institutions, and to the promotion of its welfare.”—New Standard Dictionary.

The act being staged before our eyes, the spectacle of our people being divided upon a national and vital issue, dissension over the carrying into effect of a policy logically, legally, morally right is, while ludicrous, deplorable. The honor of the nation is at stake. The foundation, mortised by patriots’s blood, of our republic is endangered. That sacred heritage of liberty bequeathed us by our fore-fathers is in peril.

The fallacious theory, born of a false sense of patriotism, misconception of duty, fostered by the “peace at any price” men, advocated by ambitious and unscrupulous politicians, that in order to maintain neutrality we must surrender our rights is absurd, a doctrine untenable, a principle unsound. The effect of the adoption and enforcement of such a measure is obvious. Destructive of national respect, injurious to freedom, essentially subservient, demoralizing, it would be a sure fore-runner of rebellious bedlam, a fire-brand in the hand of Mars.
We must base our knowledge of the future upon the history of the past. Reason, one of the greatest gifts to man, is but a parasite upon experience. Situations similar to the one we are now facing have been met with before. The dominant nations of antiquity, trembling before an alavanche of barbarians from the North, not wishing to sacrifice the comforts of peace for the woes of war, dreading the consequences of a determined resistance, little dreaming of the direful and fateful result purchased a shameful, disgraceful yet temporary peace. By thus seeking to enjoy the fruits of a compromise with wrong their doom was sealed. Disregarding with impunity such usurious agreements the rude barbarians with savage fury trampled under-foot all that remained unscathed and destroyed the last vestiges of a great civilization.

A government in which there is no power invested to enforce its decrees is worse than no government at all. By its acts a people are judged. It is but a mirror reflecting their image.

In the first turbulent years of our existence as a nation all Europe was embroiled in war. Lost in the maelstrom it pent-up cry reverberation around the world. The animosity and passion of our people was aroused. Mass meetings were held. Clamorous throngs demanded war with first one belligerent and then the other. The French minister, Genet, aggravated by what he understood the attitude of the Administration to be, nettled by an enforced neutrality taking advantage of the occasion appealed to the people, notwithstanding an admonition by Jefferson that the Constitution had made the President the last appeal.

"Washington, already weary and impatient, under the incessant dissension of his Cabinet, was stung by the suggestion that he might be held up as in conflict with Genet, and subjected, as he had been, to the ribaldry of the press. At this unlucky moment Knox blundered forth with a specimen of the scandalous libels already in circulation, a pasquinade lately printed, called the “Funeral of George Washington,” wherein the President was represented as placed upon a guillotine, a horrible parody on the late decapitation of the French king.”—Irving’s Life of George Washington.

Despite the rabid utterances, disrespectful conduct of this unfortunate Ambassador, the forcible seizure and confiscation of American shipping and unlawful impressment of American seamén and the
aroused sympathy of the populace the President, outside of a burst of feeling, maintained his equilibrium and piloted the nation safely through a time of stress and turmoil. The French government, having been requested by Washington to recall their representative, did so with the assurance that he had exceeded his authority. His actions were disavowed. The imbroglio with England was settled amicably. Our differences with all were adjusted satisfactory. Yet Congress by only a small majority approved the President's course.

Other international problems, at the time very intricate and delicate, demanding careful consideration have been solved by our Presidents. The doctrine that "in the settlement of our difficulties war is the last resort" followed by our first great Leader has served as a guide for his predecessors. In the most minute particular it governed the official conduct of John Adams, Jefferson, Lincoln and Grant when they were confronted by situations almost similar. But when international laws were ruthlessly disregarded, and peace could not be had consistent with honor, they did not shirk their duty.

Yet looking at these crises, as we do, through the non-partisan eyes of time and history, calmly, dispassionately, who would complain? Could anyone be so unthoughted, audacious as to condemn those great patriots, call them cowards? Has not President Wilson been actuated by the same desire for peace, governed by the same doctrine? Is it not, in view of past history, incumbent upon him to do so?

Since time immemorial the right of neutrals to travel on the ships of a belligerent Power, armed for defensive purposes only, has been accepted as international law. Forced by the necessity of piratical days, fearful of their fate if unarmed, the early sea captains would not sail their ships unless adequately prepared for any emergency. Their lives and cargoes had to be protected. As a consequence the practice of carrying or transporting neutrals by the armed merchantmen of belligerent Powers sprang up. Dictated by humanity it became general. While countenanced at first but not rigidly observed, it gradually developed into what might properly be called lex non scripta maris. Admitted by all, the right thus created and established remains an incontestable one of the subjects of all nations and recognized, as we are as the leading neutral, it has fallen to our lot to promulgate and defend.
The question, therefore, naturally arising is, would a warning by the government, notifying our citizens to keep off the armed vessels of a belligerent Power, be equivalent to the surrender of our right? This suggests a second question, which is, can international laws be changed in time of war? The first necessarily must be answered in the affirmative. The reason is obvious. To comply with the request of Germany and thus warn our citizens is in itself an acknowledgement of impotence, lack of ability to defend our rights. It would invite more such insulting proposals the acceptance of which would be humiliating in the extreme placing our nation, the champion of humanitarian principles and defender of neutral rights in an awkward position. The answer is clear, our course patent, duty certain.

"No craven hearted man was ever fit to be a citizen. Courage is the source of patriotism."—Beecher.

Secondly, to admit the right of a nation involved in war to change international laws, suit them to the peculiar exigencies of its situation is beyond reason. Such an unwarranted admission, change, would work havoc with the whole fabric of international law. It would be altered at will to suit the whims of barbarity. Consequently the abrogation of this rule of warfare giving merchantmen the privilege of carrying one four-inch gun in times of either peace or war and the surrender of our right to travel on them cannot be ignored, tolerated.

Chief Justice Marshall said: "No belligerent nation can change the rules of international law during war; they must be modified in time of peace."

In conformity with the spirit and assence of our institutions, international law and the dictates of humanity the President has taken a decided stand. Congress has, by an overwhelming majority, expressed its approval. The undaunted efforts of our President to maintain peace, to follow the traditions of the father of the country in the face of adverse criticism and dissension in his Cabinet surely cannot have been in vain, unappreciated. Coolly, deliberately, undismayed by the magnitude of his task, with tireless energy and constant
he has successfully kept us out of war without the sacrifice of honor and with a dignity peculiarly suited to a chief executive.

Are we now, when he has come to a parting of the ways, to desert him? Is our homogeneity to be questioned? Is the moral bravery of our President in issue? Can it be that our patriotism is abortive? Is it not first duty, as citizens of this country, to be Americans? Is not patriotism, in the real sense of the word, non-partisan?

E. H. DECKER.

BOOK REVIEW

The Law of Electricity, by Author F. Curtis, Albany; Mathew Bender & Company, 1915; Pp. LXXXIV, 1033.

The purpose of this book is not to explain or illustrate in its various phases Ohm's Law, nor is it devoted to a scientific discussion as to the nature of electricity, that is whether it is two fluids or motion. But it is the object of this book to discuss the law of a single, silent, powerful, and dangerous force, and follow it through the general rules of the various branches of the law.

Most law books cover a time honored branch of the law. And when we wish to know the law concerning a single force, we have to search through all the long established branches of the law and here and there scattered throughout those branches in which cases dealing with this force arise; we find it so intermingled with the various phases of these branches that it is like looking for needles in a hay stack.

The author realizing this situation touches on Municipal Corporations, Eminent Domain, Contracts, Streets and Highways, Abutting Owner, Negligence and etc. where they have reference to and are concerned with the Law of Electricity.

But there are most subject in this connection which must be treated exhaustively for they are absolutely and wholly concerned with Electricity, such as the Powers and Duties of Electric Companies and Injuries from Electricity. Such subjects as these, this work covers very thoroughly.

The scientists are not definitely sure what electricity is, but they know a good many things about it and have harnessed it in many