

8-1937

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Recommended Citation

Stinchfield, Frederick H. (1937) "Sincerity and Intellectual Honesty in Leaders," *Indiana Law Journal*: Vol. 12 : Iss. 6 , Article 1.

Available at: <https://www.repository.law.indiana.edu/ilj/vol12/iss6/1>

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INDIANA LAW JOURNAL

Volume XII

AUGUST, 1937

Number 6

SINCERITY AND INTELLECTUAL HONESTY IN LEADERS

By FREDERICK H. STINCHFIELD*

Last month many thousands of young men and women finished their youth and their college experiences. They join the ranks of older generations, to whom life has been serious. They pass from theories to practicality; from dependence on others to dependence on self. It will be a change. They may not, this generation, be like us. Many of them hope not to be. We can well examine the things of which youth has been thinking; perhaps we ought to help, not hinder, in fact their unbelief. It's a fitting time for us to consider the character of the burdens which we ask these youngsters to share with us.

It seems a reasonable guess that youth says to itself, "We are just entering into life; it's a long, long time to the end of it." It's an odd conceit, in a way, but quite a customary one; youth could realize, if it would, that in fact its life is nearly a third gone when college ends. A third of life is a long time for preparation; but perhaps there are indications that somehow or other our own preparation was inadequate. Youth is said not to be satisfied with the fashion in which we have wrought. They may feel like reciting to this topsy-turvy old world which former generations and

*Address of Hon. Frederick H. Stinchfield, President of the American Bar Association, at the Annual Meeting of the Indiana State Bar Association, July 10, 1937.

ours have made, lines with which we are all familiar. Consider their appropriateness.

“You are old, Father William,” the young man said,
“And your hair has become very white;
And yet you incessantly stand on your head.
Do you think at your age it is right?”

We might be more honest if in replying we too confessed, in similar words, our insufficiency.

“In my youth,” Father William replied to his son,
“I feared it might injure the brain;
But now that I’m perfectly sure I have none,
Why, I do it again and again.”

Those years which youth sees stretching so far, far ahead will soon have gone—gone before they know it. Youth may properly look upon what is to come with some perturbation, if it has been alive to the troubles through which the world is blindly making its way. But in spite of its distraction, it need not, really, have too much fear of life, provided only that there be a spirit within youth which will drive it to give something to life; for out of life will come values which will be in proportion to what is given to life. There will be, we still hope, sometimes, chances for happiness of which youth has known nothing. When we speak so, we are conscious that we base the trust on the experiences of our own lives and of other Americans, about whom neighbors have talked or historians have written. Very many of our people begin to see reasons for wondering whether the uneasiness of our country does not indicate that our own past may not be an unsafe guide for predicting the future. And they debate with themselves whether or not what is of the past, with all its frailties, may not be better than what is being built, however attractive the blueprints.

Even if we had the opportunity, it would probably be quite useless for us to give words of advice to those who are now joining our ranks. The third of the journey behind may already have crystallized their characters. There are those who say that what youth will be is determined very

early in life; that even before college begins, youth is fixed in its habits, and the child is father to the man youth will be. More than that, there may be insufficient worth within us to justify advice. Assuredly, we lawyers have been told so often and so emphatically, of late, that we lack ideals and social consciousness, that we ought to be humble—provided we had but faith in, and could pray for them, or him, which so despitefully use us, and persecute us. So steeped are we, however, in the habit of advice, that we shall probably never be so convicted of our sins as to cease our attempted leadership.

We can all see that the world is laboring under a great burden; but it has always so labored. Life, just now, seems more than commonly unhappy and dissatisfied. The most of graduating youth may merely add to the burden of the world. Only some of them will be ready to help in carrying the burden. Yet the whole future of the world depends upon whether the percentage of those who help increases faster than those who drag. If there is a decrease in helpers, there seems little chance of long survival of civilization. There are never more than a few who can appreciate that he who carries the burden is happier than he who rides free. Between lawyers and the holders of public office who have no faith in us, there could perhaps, just here, be argument as to which of us, if either, belongs to the class that rides free.

The question which youth can wisely ask itself is—What is the spirit which rules us? Nothing else counts. If youth starts on the second third of its journey, thinking only of the success to be made, the fame or power to be acquired and the recognition to be had, rather than of the possibilities of helping the world, lives will be barren and the world will be worse for having produced the new generation. This college generation joins us, seemingly confident of itself and proud of what it believes, in its immaturity, it has already done. Has it not thought more than its elders? Has it not acquired better equipment? Perhaps it's well that youth be confident. Courage is necessary, if enough wisdom be a companion along the road. But pride might well be other than a primary consideration. The spirit that could, with benefit, move

youth and should have been the guiding force of lawyers, is humility; for the weapons with which ourselves and all college youth have been armed, so much superior to almost all the rest of the world, place upon us unusual responsibilities. Lawyers have ever been leaders; and for each one of them, a hundred, a thousand, perhaps a million, will follow where they lead. If lawyers glory in the shining armor which we wear as leaders, we can but take our followers to a precipice; but if we can be humble and if there are enough of that spirit, we may keep the world from falling over the precipice into which all of us fearfully gaze.

There has always been great faith in leaders; it must be so. Whether admitted or not, the whole world is conscious of its own incapacity to lead, its own stupidity. We cannot, too much, flatter ourselves in America. We pay lip service to peace and freedom from war; but there are other evils which are nearly as bad for the spirit. It is right that the less fortunate should be cared for; but it is wrong that there should be compulsion of the strong. Compulsion teaches nothing to the spirit. It ruins the soul. What we need to learn is that we must be anxious, of our own free will, to care for those less fortunate. The sacrifice must be voluntary, or there is no spiritual growth. There is no theory, in spite of current teaching, that any man or woman in this world has a right to be cared for by others. There is a duty upon the strong to care for the weak, but it is a spiritual duty, accepted voluntarily. Duty cannot be forced, to any lasting end.

We think of education, common to everybody, as an uplifting force; as a means by which souls will be freed, spirits made better, the world happier. There are those who doubt. Albert J. Nock, seeing but one per cent of the population of Haiti schooled, writes:

"A society may have all the apparatus of civilization there is, and remain quite uncivilized; on the other hand, a society may reach an enviably high degree of civilization with but a small amount of apparatus and that, too, perhaps of hardly more than a primitive order."

It is a suggestion about which we may all think. Civilization is not physical comfort. Civilization is made up of intangible, spiritual things. It is easy to arouse a spurious sentimentality by crying over and over again that one-third of our population is ill nourished, ill clad, ill housed; but where in all the words has anything been said about the nine-tenths with ill souls? There are infinitely worse things than a neglected body and lack of physical comforts. Poverty of the spirit outweighs them all. We may well sorrow that a third of us, or any of us, may be ill nourished, ill clad, or ill housed; but the remedy must be in the spirits of men, not on the statute books. There is no evidence that more food, better clothing or better housing will make better souls. History is too vocal on that score. Christ was born in a stable, and Lincoln in the poorest of cabins, each ill housed, ill clad, probably ill nourished. But their spirits were adequately housed, clad and nourished, and the world is better that they lived. Perhaps the world *is* only because they lived. It's one thing to dwell upon the sins of those who have neglected duties which in good conscience they should have assumed; it's quite another thing to teach that those who might benefit from the kindness of others are entitled to attain those benefits by force, whether that force be personal or statutory. The result may well be that for every body nourished or clad or housed, two souls will be lost, the bitter soul of him who is compelled, and the weakened soul of him who is the beneficiary.

This youth now joining us is about to enter upon leadership. It will be for them to decide whether they will carry on with the mere words of the spirit, or with the spirit itself. They must determine for themselves—no law can do it for them—what is the life they will lead, whether one of voluntary helpfulness, self-sacrifice and humility, or a life of personal aggrandizement, riches, power, selfishness, or desire for fame.

Words of a London barrister, James D. Cassels, recently attracted me. He spoke to an audience which included young men about to become barristers:

“Let me say as my first observation to you younger men and women that you are joining an honourable profession. Barristers trust each other and the Court trusts barristers. * * * Cultivate, therefore, a high sense of honour. The wig and gown that you wear are the hallmark of sincerity. Deception is no part of your make-up.”

Such words are as much for us who are older, as for the arriving generation. We should have assimilated them long since. You will note that the advice was not merely to cultivate a high sense of honor in one's profession or business. It seems a fair inference that the advice was to be applicable to everything done and said in life.

This principle of cultivating a high sense of honor and of eliminating deception is one which I should wish might be made applicable to every educated person and particularly to every lawyer. One could wish that it be the rule of all, educated or unschooled; but the educated have no excuse for a failure to develop the principle. An apology for the unlearned may be made. If, however, the principle is desirable for all who are educated, it is peculiarly applicable to the leaders among the educated; for our whole history tells us that few in our communities are of even comparable influence with us who are lawyers. As the possibilities of influence grow, duties to the average man increase even faster. What America shall hereafter be, will depend upon the youth which now takes up the burden of the world with us. Our day and influence are almost at an end. We pass on the burden to the young. We haven't carried on perfectly.

We can but see a distracted world. No one can be blind to the sight. But it would be unwise to accept the present unhappy conditions as having been always customary. We see a world from which individual liberties seem to have flown. Localities and their self-rule no longer flourish. All direction of life proceeds from a center. Democracy is on trial, and, if of a prophetic inclination, one may be inclined to say that the verdict seems to be going against democracy. We were told 19 years ago that we should make the world safe for democracy. If the world tried, the attempt failed.

We see the burden of taxes growing unbearable, whether we think of the poor, the well-to-do, or the rich. We see the money, moreover, being used far too extensively for valueless purposes—wasted. As money and property are dissipated in increasing quantities, the world seems to grow, not better, but worse. With all of the redistribution, poverty remains, nay increases, the world over. Unhappiness grows apace. In our own country we find, in a land where they little existed before, the growth of classes; and as they grow, we see hate grow, perhaps an inevitable consequence. Faith in the hereafter, faith in God, faith in people lessen. Deception increases. No one is trusted. Must we not say that religion, too, whichever one of the innumerable types one prefers, is in the doldrums? Honor and sincerity fade away.

Observing this, as even a blind man must, we recall that, from time to time in the world's history, there have been other civilizations. We remember that in times past, in the long, long desert years of brutality, selfishness, war, poverty, injustice, we have seen here and there oases of contentment and democracy, happiness and fairness; not perfect, of course, but so different from the almost endless desert years as to seem perfect. But the oases were lost. They were small. They were far separated. Their blessings have been forgotten. We recall that Golden Age of Greece, when men were superior in so many things; the best, I think, of any age. That was 2,400 years ago. We read and believe that men then lived who knew more of philosophy, of sincerity, of moderation (I would emphasize that characteristic), more of honor, of equal rights of men, and of tolerance, than in any other age of the world's history. The age left the world. It has never been regained in full. For the blessings of philosophy and simplicity, sincerity and honor, moderation and tolerance, we have substituted physical comforts. They have not satisfied.

Perhaps you can tell me the reason for all this. I offer no explanation; I know none. We like to talk of the world's getting better; but we have many doubts. We enjoy pleasing ourselves by saying that betterment of physical comforts, in-

creased speed in transportation, improvement in communication, are the equivalent of those older civilizations. But in our hearts we know that they are a poor substitute.

I offer you no reason for the disappearance; but I can say with certainty as to my own feelings, that a contributing cause of the destruction of civilizations has been that honor, honesty and sincerity have been too little the guiding stars of the leaders of civilization; that selfishness and the desire for immediate praise, power and advancement have been more to their liking than the improvement of the welfare of their peoples, at the expense of personal popularity.

When I speak of leaders of civilization, I speak of college men and women, and particularly of lawyers. The leaders are always the educated. If occasionally a few uneducated lead, we can know that they are helpless without the assistance of the educated. I am certain we can blame the loss of or injury to any civilization upon the educated; that the blame can lie nowhere else.

What is this honor, a high sense of which we should cultivate? It embraces many characteristics; but primarily its basis must be one of sincerity. It must mean that advice to the many shall be frank, honest, sincere, and accurate; all of which requires that words, whether printed or spoken, must always be used to convey truth; and to convey truth, no matter how unpleasant it may be to those who listen, or however unfortunate may be the immediate reaction upon the speaker. The honorable man or woman must use words, not with any primary purposes of pleasing his hearers, to lull them into a false sense of security, to unfairly arouse their hopes, or to create faith in an immediate and happy solution of their difficulties, when in fact only a lesson of self-sacrifice can be the teaching which will relieve the hearers from their misfortunes. There is no place, in the mouth of the honorable man, for words of persuasion that are misstatements of fact. Nor can such a man give reasons for his conclusions which he believes unsound, excusing himself because hearers, pleased, will be more readily induced to action. The honest man will

give to others what the speaker believes, not what is easy for the hearers to accept. Some day people will have learned that it is not words that immediately please, upon which dependence should be placed, but words which have in them reality, truth and sincerity. You will see that my immediate concern is that too unique quality which we term intellectual honesty. We confine ourselves, for the time being, to a consideration of honor in the use of words; our power with words is made possible by education. Few others have it. It is our wealth; and it is our duty to use it honestly.

Lawyers find themselves greatly superior to almost all people with whom they associate. They have better weapons, both of the mind and of the tongue. Their influence is great. I am not speaking of the theory that "honesty is the best policy"; not speaking of honesty as a practical consideration. I am speaking of honor and of intellectual honesty as a debt which we owe to today and tomorrow; a debt which, if we do not pay, will, it seems certain to me, bankrupt our creditors—our fellow men.

May we consider our United States. It is still the best place in the world for any man or woman. It has more blessings of freedom, of opportunity, and of physical comforts than has any other nation. But spiritually it isn't rich; our people are not satisfied. Over and over again, for many, many years, perhaps 150, perhaps less, they have been deceived by their leaders. They have been led into wars, into wrong political alignments. They have been deceived about tariffs, about securities, about money, about the problems of wages and hours of labor, about the value of education. Everywhere they have been misled. That our people, therefore, are better situated than is the rest of the world, isn't sufficient. They can no longer believe because they have been so frequently deceived. What matters it to them that life elsewhere would be still harder? They don't know it. What they remember is that they have not achieved the goals which their leaders promised. To be sure, they have frequently changed leaders. They have tried every conceivable remedy,

always trying new remedies because of the promises of those who lead, yet always without the success promised. Today it is doubtful whether they trust anyone. Certainly they trust no one long. Shall we speak of manufacturers? Their leaders have preached exorbitant tariffs on a basis of improved wages and living conditions. But the people have seen tariffs, not to meet lower costs in the rest of the world, but levied for profits. Shall we think of religion? They have been promised heaven, an immortal life, happiness and peace on this earth, and immediate tangible as well as future intangible rewards. They have been disappointed. They have been taught the blessings of patriotism. They have been taught that wars are essential to worth-whileness; that other nations were greedy and only one's own nation holy. They have learned the futility of these lessons. They have been told that virtue lies only in the laboring classes and all selfishness in him who has money. They haven't found the virtue when power was given, nor have they always seen the ill in all those who possess property. In families they have been told that children should speak the truth always, that marriage is made in heaven, that love is holy and that sex is horrible. Later in life they have learned the unreality of the lessons. They have heard politicians promise cures for every evil, small and great, in every community and in the nation. Over and over again, things pleasant to hear have been said; but year after year, the conditions remained the same; none of the promises came true. They have heard educators say that education, to whatever extent, must be universal. Then they have seen college men and women, and they have learned how inaccurate was the claim. They have been told that labor unions are essential to the welfare of the laboring man. They have learned that it is often merely the welfare of the leader that is served. I would not be controversial, but I should not be following my own text if I did not add that the people have been told that six additional judges are necessary for the Supreme Court because its calendar is congested, the Court is behind in its work, the extreme ages of the Justices make

efficiency impossible. They have learned that such statements are inaccurate and unjustified.

Is it any wonder, therefore, that there is lack of faith, that there is unhappiness for broken promises, and that the ordinary man knows not where to turn for advice? He feels that he can depend on no one. He finds no help in the educated. He finds there no greater sincerity, nor dependability. It is all wrong, all indefensible, and the factor, I beg leave to believe, which has destroyed civilizations. Honor and sincerity, honesty and unselfishness, cannot dwell in the masses unless the spark is handed down from the leaders; and the leaders are the educated, and lawyers are in the forefront.

We travel on. We have a civilization of a sort. We have physical comforts. We have the possibilities for very considerable happiness; but the evil end is inevitable, as it always has been, unless college men, lawyers emphasized, furnish a leadership based on honor and intellectual honesty. It is clear that it is not an easy lesson to learn, nor an easy practice to follow. Speak honestly and frankly, and popularity will frequently suffer, and men for the time being won't like you nor follow you. But if we are truly interested in humanity and in its survival, we must follow the path of truth and sincerity, avoid the roads of deception and popularity, and abhor pleasant words uttered for the momentary reward of the pleased feelings of those who listen. The burden is great. It is great because our capacities and our possibilities are great.

Let me close with a few words from the defense offered by Socrates, yet not set forth in a preamble to legal enactment. It was an appeal to the spirit, not to force.

"My good friends, you are citizens of Athens, a city which is very great and famous for wisdom; are you not ashamed of caring so much for the making of money, and for reputation and for recognition? Will you not think or care about wisdom, and truth, and the perfection of your souls?"