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## President's Page

Stanley Higgins Jr.

*West Virginia Bar Association*

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## THE WEST VIRGINIA BAR ASSOCIATION

### President's Page

On admission to the Bar, every lawyer subscribes to his continuing oath to support the Constitution of the United States of America, in itself an affirmation of individual freedom under law. Our dedication to the preservation of such freedom, of government by law rather than by men, is a vital part of the tradition of our profession and of the daily professional life of each lawyer. As a corollary to our own dedication is the obligation imposed upon us that all people should recognize and appreciate the true meaning of democracy as we know it.

Not all the people of America know of their rights under the law or comprehend the privileges which protect them in their most commonplace activities. Many people, perhaps because of a lack of understanding, fear the law and look upon our laws and legal system as something which restricts and oppresses rather than a guarantee of freedoms. Their hesitancy to resort to law because of a lack of knowledge of the real purpose of our laws weakens the effectiveness of the broad protections to which every person who lives under law is entitled. There are many others who by long association have become so inured to the protections afforded them that their acceptance of our system of government becomes perfunctory and the desire to protect and defend the freedom of the individual is lost by complacency.

On May 1, 1961, the fourth annual observance of LAW DAY—U.S.A. affords to organized bar associations and to individual lawyers an opportunity to bring to public attention the basic values of our system of laws and independent courts, to foster an increased respect for law, to stress the fact that American citizenship, with its individual freedom under law, entails obligations as well as benefits and to encourage efforts on the part of all of the people to point up the contrast between the principle of "individual freedom under law" and the subordination of human rights under communism.

LAW DAY—U.S.A. is not an occasion on which lawyers, individually or as a group, are honored. It is a day on which the

lawyers, in cooperation with many other interested civic organizations, can take the lead in honoring government by law. On LAW DAY it can again be emphasized that to be secure in one's own home against search and seizure, except upon the probable cause of the law; to have guilt, innocence or liability determined by a jury of one's fellowmen; to have always the protection of the requirement of due process of law, are basic rights and privileges which are worthy of the constant vigilance and preservation by all people.

The conflict between the democratic and totalitarian systems of government has never been more apparent than in this year of 1961. Now is the time when recognition of the necessity of the preservation of our system, designed for the individual and not for the state, must be brought home to all of the people of America. Let me urge all county bar associations to participate in LAW DAY—U.S.A. by personal appearances before civic groups, in schools, on radio, television and through the medium of newspaper articles. If we do not take this opportunity, we fail to fulfill our oath and obligation as members of the Bar.

*Stanley Higgins, Jr.*