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## One From Many

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Roger J. Miner  
U.S. Circuit Judge

Flag Day Ceremony  
Hudson Lodge of Elks No. 787  
June 11, 1988

"One From Many"

Exalted Ruler, Officers and Members of the Hudson Lodge of Elks, Ladies and Gentlemen:

It is a privilege and a pleasure for me to participate once again in the Elks Flag Day Ceremony. As a long-time member of the Benevolent and Protective Order of Elks, I am especially proud that the idea for celebrating the birth of Old Glory originated with our great Fraternity. The Order of Elks began its observance of Flag Day exactly 80 years ago, with appropriate services and a special ritual created for the occasion. The ritual teaches us a great deal about the flag, and much can be learned from it. As Yogi Berra once said: "You can observe a lot by just watchin'." In any event, it is a source of great satisfaction to all Elks that the Nation has followed the lead of Elkdom in setting aside a special day each year to honor the Stars and Stripes.

The Flag commemorated in our National Anthem as the Star Spangled Banner officially was adopted by the Continental Congress on June 14, 1777, more than 200 years ago. Today, 50 stars, representing the present 50 states, combine with 13 stripes, representing the original 13 colonies, in one banner symbolic of the unity of our great nation. That unity also is expressed by the motto inscribed in Latin on all the coins minted

at the Federal Treasury: E Pluribus Unum. It means "one from many" and signifies the establishment of our Federal Republic through a union of separate states called the United States of America.

But our national motto refers not alone to the unity of the separate states; it also refers to the solidarity of a diverse people. "One from many." We come from many nations, but we are one nation. Each one of us is either a newcomer or a descendant of a newcomer to these shores. We are of many races, religions, creeds and nationalities, but we comprise the population of a society united in a dedication to freedom, democracy and equality. Two weeks ago, in a Federal Court Naturalization Ceremony in New York City, I was privileged to welcome 142 newly-made American citizens. I told them to remember the countries of their origin but to be loyal to this country above all others. I told them that, by taking the Oath of Citizenship, they had assumed a share of the responsibility for the future of the nation.

To me, sharing the obligations of citizenship requires all citizens, new and old alike, to work together to solve the problems that face us. Joint effort has in fact produced all the accomplishments of which we are so proud. Our tradition is to achieve progress and beneficial change through dialogue, negotiation and compromise, and by treating one another with fairness, civility and respect. This tradition of moderation now is threatened by a danger that has tested us in the past -- the danger of a polarized society. The ugly spectre of disunity and

separation has begun once again to stalk the land, spreading distrust and prejudice and suspicion among us.

We always have spoken with pride of America as a "melting pot," in which people of diverse backgrounds are melted into a homogeneous American citizenry. Regardless of background, our citizenry shares a common heritage, a common language and a common government. Together, Americans have worked to make the nation a better place for their children and for their children's children. By joining hands, we have strived to develop an environment where each person can realize his or her fullest potential. Although much remains to be done, we have enjoyed enormous successes.

And now, for the first time in many years, we have a regression, a retreat, a tearing asunder. Instead of neighborly concern and cooperation and discussion, we have apathy and disaffection and, even worse, hatred. Some have withdrawn because they are convinced that they simply cannot accommodate the concerns of those of different backgrounds or opinions. Some are able to identify themselves only by their ethnicity or their race or their religion, rather than by membership in the common community. Some insist on a public education in the language of their choice. Some cry that there is no justice in our society and therefore refuse obedience to the law. In sum, there has been a general loosening of the bonds that tie us together as Americans.

As one who has been privileged to serve as a Judge in the State and Federal Courts, I am particularly appalled by those who would defy the law to advance a cause. Although civil disobedience is not unknown as a means of effecting change in our nation, it has been turned to only with a full understanding of its consequences and only after all efforts to reach the middle ground had failed. Law is the glue that holds our social fabric together. Without it, there is anarchy. I urged those new citizens in New York City to support the laws they considered good, to strive for the repeal of those they thought bad, but to obey them all, because obedience to law is the first duty of citizenship. Of course, obedience to law also demonstrates the respect that we have for each other. Those who disregard the rules detach themselves from the rest of us.

Even those who labor in the vineyards of the law are not immune from the excesses of the day. A recent Justice Department communication relating to certain legal policy matters, issued by the Assistant United States Attorney General for Civil Rights, included the following message: "Polarize the debate!" I suggest that this is the language of extremism, the language of divisiveness, the language of despair. Polarization solves no problems, heals no wounds, advances no cause. In its most virulent form, it calls forth the forces of bigotry and ignorance and violence. It calls forth all that is the worst in our society and in all of us as individuals.

Arrayed against the forces of polarization are the impulses of decency and goodness and understanding that always have sustained the American people. I am convinced that these impulses will prevail as they have in the past, that the breakdown in communications will be repaired, that harmony will be restored and that we will continue our march down the highway of history, arm in arm, brothers and sisters, together in this great experiment.

As Benjamin Franklin left the Constitutional Convention in Philadelphia after the Great Charter had been signed by the delegates, an ordinary person walked up to him and said: "What do we have, Dr. Franklin?" "A Republic, if we can keep it," Franklin replied. We do have a Republic and we have kept it and we will keep it -- with love, with strength, with unity, and with faith in one another. Our resolve is symbolized by our Flag and in this prayerful verse so familiar to all of us:

America! America!  
God Shed His Grace on Thee  
And Crown Thy Good with Brotherhood  
From Sea to Shining Sea!