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Lawyers' Part in War and Post-War Reconstruction

Robert L. Stearns

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on the prospects of obtaining Willis Smith, President of the American Bar Association, as a speaker at our next annual meeting. I hope that this can be accomplished, but it will depend a great deal upon his ability to come to this territory at the time of our annual meeting.

Sincerely yours,
ROY A. PLOYHAR
President.

ALLEN WOOD, LAWYER, DIES

Allen W. Wood, 72, of 15½ Eighth St. S., Fargo, lawyer since 1910, died Tuesday in a Fargo hospital. He had been in failing health for several months.

Born in Bloomington, Ill., Aug. 4, 1873, he was graduated from Illinois Wesleyan university in 1894. He practiced law in Chicago until 1899, when he moved to Barnesville, Minn., where he engaged in land dealings, taking care of the legal phase of the work.

After a year at Barnesville he spent the next six years at Red Lake Falls and Thief River Falls, Minn., moving to Moorhead in 1906. He came to Fargo in 1910 and had practiced law there since.

LAWYERS' PART IN WAR AND POST-WAR RECONSTRUCTION†

BY ROBERT L. STEARNS*

At the beginning of the war, one often heard the remark, "Lawyers are a dime a dozen." As the war progressed it became obvious that the lawyers made a substantial contribution to it. These are some of their contributions.

Lawyers, as such, performed myriad duties of the judge advocate's office, in the contract divisions, and in the termination of contracts.

In fields not strictly legal, but in which they were able to put to use their training and ability, there were many.

Intelligence and counter intelligence. Many lawyers were in this work. There is, for example, the case of the young lawyer who became expert in German fighter tactics. So accurate was the information that his unit was able to determine in advance of any of our bombing raids over Germany just what the Germans were likely to do, where their fighter force would come from and what tactics they would employ. The value of this work was recognized and he was transferred to the Japanese theater to do the same thing there.

A group of five men, two of whom were lawyers, was assigned the task of supervision of the selection of aerial targets. They consulted economists, industrialists and engineering specialists of

†Summary of address before the Colorado Bar Association, October 19, 1945.

*Of the Colorado bar. President of the University of Colorado.

all sorts, sifted and weighed the evidence, and made their recommendations to the air staff. As a result, the war manufacturing machine of Germany was destroyed.

Training program. Many lawyers and legal educators were used in studying needs in combat zones and making recommendations for improvements in training programs and schedules.

As part of the teams of operations analysts, lawyers assisted in making studies of combat operations to determine ways of increasing efficiency, reducing costs, synthesizing the efforts of scientific men, and interpreting their results to combat officers.

As civil affairs administrators, lawyers adjusted disputes in occupied areas, and established policies for orderly administration of these areas.

As combat officers, lawyers exhibited qualities of leadership essential to successful military operations. As logistical officers, they moved great bodies of men and quantities of material to the right places at the right time.

In short, the lawyers did just what the lawyer's job has always been to do—that of making his present employer his client and applying to the task that quality of devotion to duty and quick, adaptable intelligence characteristic of the profession.

The post-war period is here. Many lawyers are coming back. We see a world torn with the ravages of war, with fears, uncertainties, doubts and jealousies on every hand. Again the lawyer's job is evident—he must apply his informed intelligence to the problems at hand, which problems are evident.

International relations and world wide organization to preserve peace is one. Is the task of providing for orderly settlement of international disputes without resort to war too much for a nation which has performed the Herculean task that this nation has just accomplished? In this war has been developed the atomic bomb. The principle of atomic disintegration is no longer a secret. We must apply the use of atomic disintegration, rockets, and similar war invention to peace purposes.

Industrial disputes, and the adjustment of the problems of employer and employee groups is another problem. Is it too much to hope that we will apply ourselves to this problem with the same frank open mindedness that our military men have used in meeting their difficulties? Can we not meet new situations with new solutions? I remind you of the imagination and capacity of our legal forbears in this arid region in solving one of the most perplexing problems that beset our early history—the water problem. Mankind had become so accustomed to the riparian system that it looked like the only one possible. But it wouldn't work in this area, so the plan was adopted and grafted into our legal structure of a system based upon appropriation to a beneficial use. That was nothing but a legal adjustment to a changing need. Have we lost our inventiveness—our ability to satisfy human needs by legal rules adequate to the task that confronts us?

Another problem is that of racial and religious minorities. Our nation was built on the principle of their protection. Have we lost that viewpoint? Are we guilty of being blind to the needs or intolerant of the views of those who differ from us? Certainly the men in the army were willing to receive new ideas and absorb them into their tactics and strategy. We must, if democracy is to survive, adopt the same attitude. The responsibility of the legal profession is clear. Its members are the leaders in their communities. They demonstrated that leadership in time of war. They can do no less in time of peace. We must apply the open mindedness used to solve the problems of war to these problems of peace or democracy will fail. We must apply lawyer's outlook and capacities in solving these problems.

RECOMMENDATIONS
of the
AMERICAN BAR ASSOCIATION
as to the
DUMBARTON OAKS PROPOSALS FOR THE
ESTABLISHMENT OF A GENERAL INTERNATIONAL
ORGANIZATION FOR PEACE, JUSTICE AND LAW

(continued from last issue)

RECOMMENDATION No. 3:
AS TO INTERNATIONAL LAW

The American Bar Association recommends that an International Conference on the Law of Nations, to be made up of such number of jurists in the field of international law as the General Assembly shall determine, should be created; that the members thereof should be nominated and elected in the same manner as members of the Permanent Court of International Justice; that such Conference shall formulate a statement of principles of international law as rules for the conduct of the Nations; that such statement shall be submitted to the parties of the Charter for ratification and agreement in accordance with their constitutional processes, and that the Court shall interpret and apply such principles in determining controversies and in rendering advisory opinions.

RECOMMENDATION No. 4:
AS TO REPRESENTATION
IN THE ASSEMBLY

The American Bar Association urges that, in developing the Dumbarton Oaks Proposals into a Charter, consideration be given to introducing the principle of weighted representation of the Nations in the Assembly of the Organization.

RECOMMENDATION No. 5:
AS TO AMENDMENT
OF THE CHARTER

The American Bar Association recommends and urges that the Charter of the Organization, in relation to Chapter XI of the