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Washington Theories Again

North Dakota Law Review Associate Editors

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RADIO PROGRAMS

Commencing February 12 (Sunday) the American Bar Association will present a series of radio addresses entitled "The Lawyer and the Public." The Columbia network will be used. The speakers and topics are:

Clarence Martin, President of the American Bar Association—"The American Bar, Its Past Leaders and Its Present Aims and Ideals."

Roscoe Pound, Dean of the Harvard Law School—"Training for the Bar."

George W. Wickersham, President, The American Law Institute—"Restating the Law."

John Kirkland Clark, Chairman, Section of Legal Education of the American Bar Association—"The Lawyer's Education."

John H. Wigmore, Dean Emeritus, Northwestern University Law School—"Should the Public Distrust a Lawyer?"

James Grafton Rogers, Assistant Secretary of State—A Young Man in Search of a Profession Interviews Mr. Rogers on the Subject "Shall I Become a Lawyer?"

Silas Strawn, Former President of the American Bar Association and of the United States Chamber of Commerce—"The Lawyer and Business."

Guy A. Thompson, Former President of the American Bar Association—"What Is the Bar Doing to Improve the Administration of Justice?"

Henry W. Toll, Managing Director American Legislators' Association—"Reforming the Law Through Legislation."

Philip J. Wickser, Secretary of New York Board of Law Examiners, Hon. Theodore Francis Green, Governor of Rhode Island, and Robert T. McCracken, Chairman of the Philadelphia County Board of Law Examiners—"Sifting Candidates for a Lawyer's License."

Newton D. Baker—"When Lawyers Speak With One Voice."

"How the Law Functions in Society," A Symposium by Professor Karl Llewellyn of the Columbia University Law School, Professor Walter Wheeler Cook of the Institute of Law of Johns Hopkins University, and Mr. Jerome Frank.

Professor Felix Frankfurter of the Harvard Law School, on a subject to be announced later.

John W. Davis—"Selecting Judges."

 WASHINGTON THEORIES AGAIN

The Washington Bi-Centennial year was one of contradictions, in theory and performance. Wisely we recalled some of the very few words uttered by this man—citizen, soldier, statesman, the "king pin of the Federal System as embodied in our Constitution"—in connection with that important convention that gave us our fundamental law.

"Let the reins of government be braced and held with a steady hand, and every violation of the constitution reprehended. If defective, let it be amended, but not suffered to be trampled upon while it has existence."

Thus spoke Washington, the silent "man of mystery." Thus we stand, or ought to stand, today. It was, really, "little short of a miracle that the delegates from so many states, different from each other in manners, circumstances and prejudices, should unite in forming a

system of national government so little liable to well-founded objections."

And so, as the heat of political campaigning dies away, and men again assume the soberer, less contentious viewpoint of plain citizenship and statesmanship, may we not retire, as Washington did, to meditate on the work which the convention executed, and offer to its perpetuation the same steadfast devotion and service?

Until men and women put on the uniforms of the hosts of Heaven we shall not see perfection. If that fundamental law be now found defective, let it be amended; but let no attempt at "progress" be made that is not founded and grounded in the principles enunciated in this "most wonderful work ever struck off at a given time by the brain and purpose of man."

Security of life, liberty, and property rests in and upon it. Steadfastly let us adhere to it, and not permit today's desire to cause tomorrow's regret because we attempted an approximation of perfection without it.

WELL SAID, MR. PERRY

The Conference of Bar Association Delegates listened to an address by Stuart H. Perry, Member of the Michigan Bar, publisher of the *Adrian Telegram*, director of the *Associated Press*, and member of the Michigan Judicial Council. That address was reprinted in December in the *Journal of the American Judicature Society*, and we wish we had the space for it because it says so many pertinent things concerning our judicial system. We quote one small part of it, selecting a thought that needs considerable further cultivation here.

"Let no one imagine that any process of education, or any state of opinion, will force the unscrupulous lawyer to withdraw from the profession, any more than it would force the burglar to mend his ways. For the type of man euphemistically referred to as the *unscrupulous lawyer* is really a *criminal*. He is guilty not merely of unethical conduct, but of felonies—of such offenses as embezzlement, perjury, larceny, obtaining money under false pretenses. That is the sort of conduct that comes to light in the infrequent cases where crooked lawyers are finally overtaken by disbarment proceedings. Such offenders well know that their methods are condemned by public and professional opinion, but they operate in contempt and in defiance of it. The essence of the whole situation is that the evils in professional conduct proceed from a minority that is not improvable. That element is also permanent by reason of *continual renewal*, for crooks and shysters will always find a market for their services. The bar can be purified only by eliminating that element or rigidly controlling it. That can be accomplished only by an integrated bar endowed with ample authority for such action. Such authority should also enable the bar to establish its own requirements for admission, with the double aim of elevating the standard of legal education and of reducing the number of lawyers."

FIRST RESTATEMENT COMPLETED

The American Law Institute announces the completion of the first Restatement of the Law. It covers the field of contracts, and represents the labor of nine years. Says the *American Bar Association Journal*, editorially: