American Bar

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the court's power to reverse or modify a decision by the board relieve the court from testing the findings of facts. Appeal will lie to the appellate or supreme courts.

The bar act drafted for and approved by the Arkansas State Bar Association provides for a governing council composed of members elected at meetings held in the several circuits. There will also be in each circuit meetings called by the local council members, at which will be chosen five members to constitute a "district advisory board." This board serves the purpose of the "administrative committee" as employed in other states. Besides investigating complaints the local advisory board will report on the moral and legal qualifications of applicants and advise inexperienced practitioners concerning their professional duties; it will also cause meetings to be held "at regular intervals for social intercourse and the discussion of professional subjects."

The council, or a committee thereof duly appointed, shall conduct examinations of applicants for admission. Disciplinary proceedings are in the hands of the council, which shall investigate charges and, when the facts warrant, make findings and submit them to the circuit court. The court may disbar, suspend or reprimand, and appeal may be had to the supreme court, by either the accused or the council. This act, though differently phrased, is seen to derive, like that in Georgia, from the North Carolina law. Annual fees are fixed at five dollars in the Arkansas bill.

AMERICAN BAR

Bar Association Action and Interaction*

One who follows the proceedings of the State Bar Associations and the American Bar Association cannot fail to be struck by the evidences of the interactions of all these bodies. The State Bar Associations are powerfully influencing each other, the national organization is having its effect on them, and in turn they are having their effect on the national organization.

The example of the American Bar Association in the matter of organization is responsible for the institution of a separate conference of local Bar Association delegates by some of the State organizations. It was doubtless the model which the Illinois State Bar Association followed in its recent adoption of the "section system," as a means of affording an incitement to interest and an opportunity for work to the many members who are specially interested in different branches of the law or different phases of the organization's activity. Its influence with respect to standards of professional education and conduct are familiar. And it is hardly necessary to point to the growing uniformity of effort in respect to the National Bar Program, induced by the leadership of the Association.

Perhaps the most notable instance of the influence of State Bar Associations on each other is found in the steadily increasing success of the movement for Bar integration. This movement owes its main strength to these Associations and its progress has represented the influence and contagion of the successful example set by California and some of the other States which have pioneered in this field. It has incidentally been stimulated by the growing recognition of the fact that there is more than one way in which the main

advantages of such integration may be secured. But in the utilization of the judicial method of effecting an organization sufficient for discipline and the maintenance of general standards of conduct and education, the State Bar Association has led the way and its example in some States is plainly responsible for similar proposals in various other States.

It may be safely stated that never before in the history of the Bar in this country have the State Bar Associations been so interested in what each other is doing or so alert to consider the adoption of plans and objectives which have secured favor in particular organizations. No sooner does one Association attempt something which appears to be of more than local interest and importance than speakers from that body are in demand by other bodies which wish to be informed on the subject.

The influence of the State Bar Associations on the American Bar Association is not quite so obvious but is nevertheless as real. Their mere existence is of course a constant challenge to the national organization to develop some unifying arrangement which will bring all these virile and important units into cooperation for the common cause. And the ideas developed in these Associations are sure sooner or later to find expression in the American Bar Association and to have due weight in the decisions there reached.

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**RECENT CASE NOTES**

**Constitutional Law—Police Power—Compulsory Military in Land Grant Colleges.** Appellants, each the son and grandson of a Methodist minister, were suspended from the University of California for refusing, for conscientious reasons, to enroll in the Local ROTC. They applied to the state supreme court for a writ of mandate compelling the university to admit them as students. Appellants' contentions are that the enforcement of the order of the regents of the university, prescribing instruction in military science and tactics as a required course deprives them of their "liberty," safeguarded under the due process clause of the Fourteenth Amendment. The writ was refused and appealed to the Supreme Court of the United States. Held, that the enforcement of an order of the board of regents of a state university prescribing instruction in military science and tactics as a required course does not unconstitutionally abridge the privileges or immunities of citizens of the United States or deprive any person of liberty without due process of law in violation of the Fourteenth Amendment to the Federal Constitution.

This unanimous decision of the supreme court has already caused "a tremendous fluttering in the dovecotes," and, in the opinion of the Committee on Militarism in Education, is "of a surprisingly reactionary character;" it may be "constitutionally correct, but it is remote from approximating ultimate wisdom and justice" and "is deaf to the ground swell of opposition in the colleges and the country at large to compulsory military training for another war." The committee goes even further, considering it "an ominous sign if the Constitution can not adapt itself to the mind and will to peace which is emerging out of America's religious life."

Though in his opinion Mr. Justice Butler makes no specific mention of the source of the state's authority in the matter of requiring compulsory military training in its university, it does, of course, arise out of the police power, the power inherent in a government to enact laws to protect order,

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1 Hamilton v. Regents of the University of California (1934), 79 L. Ed. Advance Opinions 159.
2 Literary Digest, Dec. 15, 1934, at 7.