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President's Letter: Preserve an Independent Bar

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PRESIDENT'S LETTER

PRESERVE AN INDEPENDENT BAR

For the newly elected president of the Washington State Bar Association to attempt to outline a program of activities for the Bar during the coming year might be presumptuous. This agency of the state is neither directed nor controlled by the president. "The board of Governors shall be the governing board which shall perform all of the executive functions of the State Bar." By-laws, Art. V, Sec. 5.

There may be no impropriety on the part of the president if he attempts to give written expression to a few alleged thoughts concerning the affairs of lawyers. History is authority for the statement that the members of the legal profession have performed with credit in every war in which our country has engaged, and that record will be continued.

It is probable that it has been in the creation and preservation of our government where the lawyers have exercised the most able and stabilizing influence. In these calamitous times and in the frightful days, months and years to follow the cessation of dreadful carnage, the lawyer must hold to fundamentals of free government and preach the doctrine of government by laws.

Personal governments provoke wars and, by the same token, wars produce personal governments. Men and women cannot continue to engage in wars and remain free. Military law is the antithesis of civil law. In time of war we, of necessity, submit to arbitrary regulations and orders promulgated, not by representative legislative action, but by

official fiat. Rules and regulations so numerous that none may know them, and so onerous as to produce internal eruption in other times.

The foregoing is preliminary to the statement that the members of the bar may do no greater service to their country than to educate themselves and others to the fundamentals of free government, to the end that when there is a cessation in this global, physical combat, we may return unto the paths of peace and again walk as free men.

It must be our duty to see to it that tyrannies of martial laws do not become so interwoven into the fabric of our civil law that a disastrous civil combat may be the price to be paid for reestablishing government by the people.

It has been said of old: "For what shall it profit a man if he shall gain the whole world, and lose his own soul?" Mark 8:36. The same may be said of a nation: "For what shall it profit the United States to win a global war and lose its own soul?"

May that soul be free from personal government! In a personal government, there is no recognized place for a bar association and no use for an independent lawyer.

SCOTT Z. HENDERSON, *President,*
Washington State Bar Association

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