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## Lawyers' Part in War and Post-War Reconstruction

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chief justice of the Supreme Court; a non-partisan judiciary; the possible consolidation of the county and district court; the place of the justice of the peace; salaries. This is a very important project for the association, and it is hoped that every member of the association will assist in carrying it through.

### Speakers

Speakers, other than President Benjamin E. Sweet, who gave his president's address, were: Frank Ongley Darvall, British Consul, who discussed "Britain's Role in the Post-War World"; James F. Price, dean of the University of Denver School of Law, who discussed "Recent Developments in Labor Law"; William R. Kelly, Greeley, who discussed "Income Tax Returns for the Farmer"; Thomas L. Girault, Chief Field Deputy, Office of Collector of Internal Revenue, Denver, who discussed "Income Tax Returns for the Individual"; and Robert L. Stearns, president of the University of Colorado, who discussed "Lawyers' Part in War and Post-War Reconstruction."

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## 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 the 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 all sorts, sifted

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

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

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 inventions 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 the lawyer's outlook and capacities in solving these problems.

"Sail, sail thy best, Ship of Democracy;

Of value is thy freight.

'Tis not the present only—

The past is also stored in thee.

Not for thyself alone;

Not for the western continent alone;

Earth's resume entire floats upon thy keel, oh, ship,

Is steadied by thy spars.

With thee time voyages in trust.

All the antecedent nations sail this day with thee.

With all their ancient heroes, wars, epics, thou bearest the other continents.

Theirs, theirs as much as thine the destination port triumphant.

Steer then with good clearage and steady hand, oh, helmsman,

Thou carriest great companions.

Ancient, priestly Asia sails this day with thee,

And royal, feudal Europe sails with thee.



**In Memory of**

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THEIR LIVES IN THE  
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