tion that believed in, the overthrow of government by force or by illegal means. Chief Justice Vinson thought the requirement reasonable because it did not prevent anyone from believing what he chose but only prevented certain people from being officers of unions, and because Congress could reasonably conclude that a person with such beliefs was likely to engage in political strikes and other conduct that Congress could prevent.[591] Dissenting, Justice Frankfurter thought the provision too vague,[592] Justice Jackson thought that Congress could impose no disqualification upon anyone for an opinion or belief that had not manifested itself in any overt act,[593] and Justice Black thought that government had no power to penalize beliefs in any way.[594] Finally, in *Konigsberg v. State Bar of California*,[595] a majority of the Court supported dictum in Justice Harlan's opinion in which he justified some inquiry into beliefs, saying that "[i]t would indeed be difficult to argue that a belief, firm enough to be carried over into advocacy, in the use of illegal means to change the form of the State or Federal Government is an unimportant consideration in determining the fitness of applicants for membership in a profession in whose hands so largely lies the safekeeping of this country's legal and political institutions."

When the same issue returned to the Court years later, three five-to-four decisions left the principles involved unclear.[596] Four Justices endorsed the view that beliefs could not be inquired into as a basis for determining qualifications for admission to the bar;[597] four Justices endorsed the view that while mere beliefs might not be sufficient grounds to debar one from admission, the states were not precluded from inquiring into them for purposes of determining whether one was prepared to advocate violent overthrow of the government and to act on his beliefs.[598] The decisive vote in each case was cast by a single Justice who would not permit denial of admission based on beliefs alone but would permit inquiry into those be-

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[591] 339 U.S. at 408–09, 412.

[592] 339 U.S. at 415.

[593] 339 U.S. at 422.

[594] 339 U.S. at 445.

[595] 336 U.S. 36, 51–52 (1961). *See also In re* Anastaplo, 336 U.S. 82, 89 (1961). Justice Black, joined by Justice Douglas and Chief Justice Warren, dissented on the ground that the refusal to admit the two to the state bars was impermissibly based upon their beliefs. Id. at 56, 97.

[596] Baird v. State Bar of Arizona, 401 U.S. 1 (1971); *In re* Stolar, 401 U.S. 23 (1971); Law Students Civil Rights Research Council v. Wadmond, 401 U.S. 154 (1971).

[597] 401 U.S. at 5–8; 401 U.S. at 28–29 (plurality opinions of Justices Black, Douglas, Brennan, and Marshall in *Baird* and *Stolar*, respectively); 401 U.S. at 174–76, 178–80 (Justices Black and Douglas dissenting in *Wadmond*), 186–90 (Justices Marshall and Brennan dissenting in *Wadmond*).

[598] 401 U.S. at 17–19, 21–22 (Justices Blackmun, Harlan, and White, and Chief Justice Burger dissenting in *Baird*).