ARIZONA LAW REVIEW

VOLUME 12 SPRING 1970 NUMBER 1

CONTENTS

Page

ARTICLES

Poverty and Substantive Due Process ——— *James J. Graham* 1

Recent Supreme Court decisions in the poverty law cases have revitalized the substantive due process doctrine used to strike down early social and economic legislation. The author explores the history of the old substantive due process Court, and examines the philosophies of Justices Black, Harlan, and Douglas, three justices who have squarely faced the substantive due process concept. He concludes by proposing a formula, based on the substantive due process doctrine, which would be used in future poverty law cases.

State Regulation of Weather Modification ——— *Ray Jay Davis* 35

Deliberate manipulation of weather under appropriate conditions is now scientifically possible. This is a study of how the states are regulating weather modification activities, and how they might allocate atmospheric water resources, protect the public interest, and award compensation for losses.

NOTE

Freedom of Speech and Symbolic Conduct: The Crime of Flag Desecration ——— *Ted J. Thayer* 71

This note examines the question of the constitutionality of statutes prohibiting public desecration of the American flag. The author began his research expecting that such statutes could be justified. He concluded, however, that, notwithstanding the despicable nature of flag desecration, a statute prohibiting all such conduct in public cannot meet the standards imposed by *Street v. New York* and *United States v. O'Brien* and thus is an unconstitutional infringement on symbolic expression protected by the first amendment.

THE ARIZONA SUPREME COURT 1969-70

Contents ——— 89

Table of Cases ——— 240

The *Arizona Law Review* is published four times a year in the Fall, Winter, Spring, and Summer by the University of Arizona, Tucson, Arizona 85721. Subscription price $6.00 a year. Single issues $2.00. If subscription is to be discontinued at expiration, notice to that effect should be sent, otherwise it will be assumed a continuation is desired. For single issues and bound or unbound volumes in Volumes 1 through 10, inquire of Fred B. Rothman & Company, 57 Leuning Street, South Hackensack, New Jersey 07606. Copies of any issue in Volume 11 may be acquired from the *Review* until Nov. 1, 1970. Copies of Volume 12 issues are available from the *Review*. Copyright 1970 by the Arizona Board of Regents. Second-class postage paid at Tucson, Arizona, and at additional mailing offices. The *Review* is a student-edited journal, and the views expressed herein are not necessarily those of the Faculty of the College of Law, the University of Arizona, or the Arizona Board of Regents. Postmaster: Send Form 3579 to Arizona Law Review, Tucson, Arizona 85721.