



A Case Against Merger

By Eric Russell, D.C., L.C.P. (Hon.)

The term "History Repeats" is an appropriate term and one must learn from history in order to prevent repeating the same actions over and over. The talk of merger within the chiropractic profession is almost as old as chiropractic itself and definitely older than any of us.



Eric Russell, DC, LCP (Hon.)

S. M. Langworthy formed the first chiropractic association, the original American Chiropractic Association, in 1905. It was largely an alumni organization. Dr. Langworthy was a graduate of the Palmer School of Chiropractic who founded the American School of Chiropractic and Nature Cure. Langworthy's ACA was short-lived and the organization ceased to exist. Lyndon Lee and an anti-B.J. Palmer group of New York chiropractors revived the name "American Chiropractic Association" in 1922 to form an organization that represented their anti-Palmer point of view.¹

Dr. B.J. Palmer formed the Universal Chiropractors Association (UCA) at the Palmer School of Chiropractic in 1906. The UCA was established primarily to defend chiropractors against charges of practicing medicine without a license. The famous Morikubo trial in Wisconsin was defended by the UCA with Dr. B.J. Palmer serving as an expert witness. The UCA's general counsel, former Wisconsin governor Tom Morris, was the lead attorney for the case.² The UCA was successful in protecting chiropractors on the premise that Chiropractic was a "separate and distinct" profession. The Wisconsin Supreme Court decision of Nelson vs. Harrington (1888) states that to be a separate and distinct profession (chiropractic, not acupuncture or physical therapy) the legal requirements are: 1) there must be a separate theory as to cause and cure, 2) there must be schools that teach the theory and 3) there must be a profession that adheres to the theory.

Around 1924, the UCA was becoming inundated with applications from chiropractors who were not considered "straight" but needed legal protection from prosecution. Due to the success in defending chiropractors in court cases, the once straight UCA became diluted with what were called "mixers." Eventually in 1925, the UCA split from B. J. Palmer and merged with the ACA to form the National Chiropractic Association (NCA), which later became the American Chiropractic Association, as we now know it.³ So the first "merger" in chiropractic history was full of debate and conflict.

The "straight" group that remained formed the Chiropractic Health Bureau (CHB) in 1926. The CHB, like the original UCA, continued to defend chiroprac-

tors against the trumped up charges of practicing medicine without a license. The CHB later became the International Chiropractors Association in 1942 and still functions under that name today.⁴

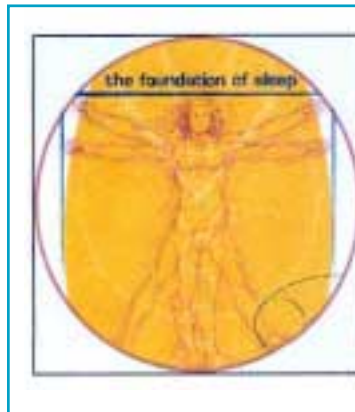
After the death of B. J. Palmer in 1961, the first overtures of merger between the ACA and ICA were made. In 1962, a group of officials from the NCA attended a Palmer Lyceum by special invitation of Dr. David Palmer. Leaders from both associations quickly thwarted these overtures and any suggestions for a potential merger were dropped.⁵

Three years later in 1965, a joint ICA-

ACA Unification Committee met in Chicago consisting of the Unification Committee of ACA, the Unification Committee of the ICA, the Representative Assembly of the ICA, Board of Governors of the ACA and the Executive Committee of the ICA. In deliberations, this group agreed upon a straight definition and scope of practice for chiropractic. This definition and scope were brought up for vote to the ACA House of Delegates. It was rejected, thus defeating a vital step for merger.

The ICA believed the agreed upon scope was legally defensible maintaining that chiropractic is a separate and distinct health care profession.⁶ The ACA maintained and still does that the chiropractic definition and scope of practice should be whatever the state legislation determines it to be.⁷ This is the main difference between the two organizations and this is why there will never be a merger. The two views of separate and distinct versus states' rights

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