POLITICS & GOVERNMENT

Outraged by court-ordered busing in 1976, rioting Boston students attack a black lawyer with Old Glory. Stanley Forman's photo won the 1977 Pulitzer Prize.

Stanley Forman. The Boston Herald-American.

dicial second thoughts," too. In recent decisions such as *Milliken* v. *Bradley* (1974) and *Dayton Board of Education* v. *Brinkman* (1977), the Court has "erected barriers" to achieving racial balance in schools—chiefly by rating "local control" just as important as integration (effectively preventing school busing between the suburbs and the inner city), and by forcing plaintiffs to prove that segregation has been "intentionally and invidiously" fostered by school officials.

Brown's promise of quality education for blacks will never be achieved simply through court-ordered school integration, Bell argues. "White flight" to "safe" school districts has often led to resegregation. Even in integrated schools, blacks often face segregated classes and harassment. But *Brown* has established the right of blacks to the same educational benefits as whites. According to Bell, putting more emphasis on first-rate all-black schools and creating high-quality "magnet schools" open to whites and blacks—in other words, "desegregation remedies that do not integrate"—may serve black interests best.

Two Can Play at This Game

"Liberal Public Interest Law Firms Face Budgetary, Ideological Challenges" by James W. Singer, in *National Journal* (Dec. 8, 1979), 1730 M St. N.W., Washington, D.C. 20036.

One lawyer inveighs against "no-growth" advocates such as the Sierra Club. Another files a suit challenging President Carter's decision to abrogate the U.S. defense treaty with Taiwan. Both attorneys are part of a new movement: the conservative, not-for-profit law firm.

There are now more than 10 such groups in the country, promoting

economic growth and higher business profits and challenging government regulations, reports Singer, a *National Journal* correspondent. They charge no fees and are tax-exempt. The oldest, largest, and most powerful group is the Pacific Legal Foundation. Founded in 1973 by lawyers who helped redesign California's welfare system under Governor Ronald Reagan, the firm boasts 18 attorneys and offices in Sacramento, Seattle, and Washington, D.C.

At a time when the more than 100 liberal public-interest law firms face major financial problems, the conservatives are prospering. Twenty-seven percent of Pacific's present $2 million budget comes from corporations. Chambers of Commerce, trade associations, foundations, private law firms, and individuals also provide money. Typical Pacific cases include a suit to permit the use of DDT in the Northwest and an attack on California's moratorium on nuclear plant construction.

By definition, liberal critics assert, public-interest law should serve clients and causes that otherwise might not be heard. Pacific's Raymond M. Momboisse responds that his firm's probusiness activities help "the little guy." And, argues another conservative lawyer, "business is not monolithic." When conservatives attack government regulations on behalf of reluctant businessmen fearing federal reprisals, or aid landowners whose property is threatened by national wildlife programs, they contend they act in the great tradition of public-interest law—representing the unrepresented.

Congress's Ethical Dilemma

"Hill Ethics Image Hurt Again Despite Many Rules Changes" by Irwin Arieff and David Tarr, in *Congressional Quarterly Weekly Report* (Feb. 9, 1980), 1414 22nd St. N.W., Washington, D.C. 20037.

To protect the U.S. Congress from executive or judicial harassment, the Constitution charged the Senate and House of Representatives with defining the "disorderly Behavior" of their own members. Today, Congressmen are finding that the new codes of ethics they devised in 1977 have created as many problems as they have solved, writes *CQ*'s assistant managing editor Tarr and reporter Arieff.

Forty-two members of Congress have been criminally indicted in the last 40 years, according to a *CQ* survey—28 of them since 1970. Most cases have involved attempts at personal enrichment—bribery, income-tax evasion, and misuse of government funds—and more recently, violations of federal election laws.

In 1977, keenly aware that Watergate had eroded public trust in elected officials, the House and Senate adopted new codes of ethics. Both require disclosure of members' finances. The Senate's code, in addition, limits outside earned income to 15 percent of a Senator's $57,500 salary, restricts the use of blind trusts, and curtails the deployment of staff aides to election campaigns. Many Senators complain of unfair personal restrictions and bookkeeping burdens.