

COLMAN McCARTHY

Legal Interest in the Public's Interest

Departing members of the 104th Congress might look to former representative Don Edwards, the California Democrat and 1994 retiree, for counsel on how to give back something to the country for the privilege of serving. Edwards, in the House for 32 years and now 81, is a passionate civil libertarian who rose to seniority and eventual chairmanship of the House Judiciary subcommittee on civil and constitutional rights.

From that close-in position, he had an unobstructed view, as expressed the other day: "All the signs are clear that our liberties are in the cross hairs of determined, well-financed persons and organizations whose agenda is rewriting the Constitution and its Bill of Rights according to their own radical political, social and religious convictions."

For his singular resistance against these attacks, Edwards late last year received the American Civil Liberties Union award for leadership in defending rights guaranteed by the Constitution.

The honor included a prize of \$25,000. Edwards declined the money for himself, and instead directed that it be used to establish a national essay contest on the Constitution by law students. A recent awards ceremony at the Washington College of Law at American University brought the winners together: two from Stanford Law School, one from Georgetown, the fourth from the University of Tennessee.

Anyone despairing that the nation's law schools are little more than minor-league training camps for big-league, big-fee firms specializing in corporate, trade association or loophole law can take comfort. A few students aren't going along. They are aligning themselves with the civil libertarian values of Don Edwards and expressed by Justice Hugo Black in 1968 on the Constitution: "This great document is the unique American contribution to man's continuing search for a society in which individual liberty is secure against government oppression."

The titles of the four winning essays offer an idea of how broadly civil liberty watchfulness is needed: "Injustice Anywhere Is a Threat to Justice Everywhere: Creative Responses to the Current Threat to Prisoners' Rights"; "Immigration Enforcement and the Exclusionary Rule: Protecting the Rights of Minorities Under a Burgeoning

Immigration Regime"; "Restoring Adolescents' Reproductive Rights"; "Gay Rights, Human Rights, Civil Rights."

On receiving their awards, the winning students mentioned how they came to be intellectually aroused to specialize in civil liberties law. One had been a high school teacher and taught a class on the southern civil rights movement. Another spent nine years working for the U.S. Arms Control and Disarmament Agency. One worked at a family planning council, and the fourth had lived on the West Coast, where he noticed the erosion of constitutional rights for immigrants.

By coincidence, days after the Edwards awards ceremony, the law school at American University—fast becoming known for its progressive faculty—hosted a national conference for law students or recent law graduates from 150 schools. The gathering was convened by the National Association for Public Interest Law (NAPIL), a 10-year-old nonprofit group that nurtures future and new lawyers who want to make justice accessible to those who most need it: the poor, powerless and picked on. That's a clientele of millions of citizens, and growing.

When NAPIL was founded in 1986 by students at 15 law schools, public interest law was commonly seen as the fallback when a court clerkship didn't pan out or the \$70,000 entry-level job on K Street or Wall Street went to the genius law review editor. Now, with chapters on 139 campuses and after NAPIL's raising more than \$13 million to fund some 6,500 public interest summer and postgraduate positions, law for the public good rather than private gain is more and more the first option of many law students.

In 1986, no U.S. law school required pro bono or public service work as a requirement for graduation. Fifteen do now. The career fair at the 1986 NAPIL conference attracted 60 students. This year, the total exceeded 1,200.

The figures affirm a welcome shift. Many law schools are now places where passions for justice are being stirred, not stifled. The graduates to feel sorry for are those saying, "Well, all I'm qualified for is wasting my life making a lot of money."