

A Subtle but Sweeping Reversal

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President Nixon's move against busing, like the rapprochement with China and the resort to wage and price controls, will stand among his bold reversals of the policies of several Administrations. The legal, political and social repercussions will long be felt throughout the country. But even more than the other Nixon turnabouts, it was designed for dramatic short-range impact in this election year and leaves many more questions than it resolves for the future.

The President's reversal was subtle but nonetheless far-reaching. Hitherto, like his Chief Justice, Warren E. Burger, Mr. Nixon had tolerated school busing as an undesirable but unavoidable tool for overcoming the effects of official acts of segregation. Henceforth, the President proposes to rule out most busing, even if the effect is to retard or prevent desegregation.

By way of compensation, the President would earmark some extra money for the poor neighborhoods, despite mounting evidence that their facilities are almost comparable with the national average and that the expenditure of more money seems to have no measurable effect on the achievement of pupils.

Confrontation With Courts

Thus the stage is set for an eventual confrontation between the President and the Federal courts, including the recorded rulings of Mr. Burger. It is set also for a great debate about the effects of segregation on education and the validity of the 18-year-old doctrine of the Earl Warren Court that "separate educational facilities are inherently unequal."

If future busing is to be prohibited, then there will surely follow hundreds of petitions for relief from communities that yielded to the courts when they

thought they had no choice.

But above all, the President has maneuvered himself out of a difficult corner in this election year, dared his opponents to defy the popular sentiments for which he has spoken and postponed to another day the intractable problems that produced the busing controversy in the first place.

For months, Mr. Nixon and his staff have been struggling with what some officials candidly called their "September problem"—the likelihood that the courts would require much new busing of school children in the weeks before Election Day. The widespread resentment against busing to eliminate segregation was plain, North, East, West and South. The President's earlier posture of leaving the issue to the courts had ceased to protect him from an aroused public and Gov. George C. Wallace of Alabama threatened to rob him of vital votes on this issue alone.

'Moratorium' Decided On

The problem was how to get past September without wholly abandoning the goal—and, indeed, the constitutional requirement—of eventual desegregation. The answer, resembling the wage-price freeze of last summer, was a "moratorium," with only a vague prescription of how to proceed in "Phase Two" thereafter.

For a time during the White House debates, officials were telling a grim joke that has now acquired new meaning. If only they could use trains instead of buses to move children around, they said, the country could take its mind off the explosive slogan of "forced busing" and begin to talk about "training our children."

Essentially, that is what the President has now done. He has changed not the noun or the verb, but the subject by proclaiming educational values as more important than the social goal of desegregation. But that is a distinction that the courts so far have been unwilling and, in terms of evidence, unable to make.

And the best research of

social science suggests that educational objectives cannot be so easily severed from social policy.

Closing as such has long been accepted as a tool for upgrading education and 39 per cent of all children now ride to school. But the public reaction was particularly vehement in recent years where the courts ordered white pupils to ride from so-called "good" neighborhoods to the schools of the "bad."

Feelings have run so high in so many places that busing became every politician's September problem. Members of Congress have been vying for ways to cast some antibusing votes — without, in the case of the liberals, wholly abandoning the cause of desegregation.

By tossing his proposals to the Congress, the President has now left his Democratic opponents in the unenviable position of falling into line on his initiative or standig exposed on the unpopular side of the issue.

Humphrey Takes Credit

Senator Hubert H. Humphrey was quick to claim that the President was only following his lead, but as in the case of economic controls and China policy, there is no easy way for outsiders to claim credit for what an incumbent President actually advocates, with all the amplification of his office.

Only Governor Wallace will persuade his fervent constituency that its protest votes, on a third-party line in 1968 and in dozens of primaries such as last Tuesday's in Florida, had shaken the establishment and forced the President and the Congress to act. It is the threat of another third-party candidacy by Mr. Wallace that troubles the White House the most, at the moment.

The President's move may blunt that threat, but there are signs that Mr. Wallace planned in any case to take up other popular causes, such as combating crime and taxing the rich, and to cite the busing issue only as an example of the results that his movement can bring.