

Professionals, Professors, Pornographers

Publicizing Fees

The Supreme Court's decision to lift the ban on the advertising of fees by lawyers was a major victory for consumers. It should lower the cost of some routine legal services. It may also lead to similar cost-cutting advertising in other professions.

Every state prohibits price advertising by attorneys. These laws, modeled on portions of the American Bar Association's Code of Professional Ethics Responsibility, were represented as necessary to maintain the dignity of the profession and to discourage unscrupulous solicitation. In practice, however, they prevented competition and tended to reduce the availability of services that require little specialized skill.

The Court's ruling will not significantly affect the cost of litigating complex civil suits or defending accused felons. States will still be able to ban ads that are likely to mislead. But the decision should encourage the growth of legal "clinics" that rely on paraprofessionals to reduce the cost of uncontested divorces, simple wills, and other uncomplicated proceedings. As a result, basic legal protection could be extended to middle-income families and small businesses.

Though the Court considered only advertising by lawyers, the ground for its opinion—the First Amendment guarantee of free speech—suggests that blanket prohibitions of advertising in other professions are unconstitutional as well. Clear listings of fees for group obstetrics or denture

fittings, for instance, may not be far off.

NYTimes • JUL 1 1977
Academic Intelligence

The Central Intelligence Agency has always found college teachers a valuable resource. Some are specialists in areas that touch on the national security. Some have contacts in other countries from whom they pick up interesting tidbits of information. Some are willing to recruit for the C.I.A. in their classrooms. The agency has for years maintained relations with academics on more than 100 campuses. But professors have periodically been embarrassed by revelations of their extracurricular activities and critics have wondered about the subverting effects of a teacher's covert connection to the C.I.A.

A set of guidelines, drawn up by the American Civil Liberties Union and the Center for National Security Studies, addresses the matter in a reasoned way. It would require faculty member to report to his dean any contracts with the C.I.A. for research, information from abroad, or recruiting. No student's name would be conveyed to the C.I.A. without his approval. Scholars would not be permitted directly to gather intelligence or to spread propaganda.

Harvard adopted similar guidelines several weeks ago. They clear a path for teachers to serve their country openly and within sensible limits. Other schools should take heed of this intelligent academic's guide to intelligence.

Bad Language

Shocking reports of the exploitation of young children by pornographic moviemakers and publishers inspired the New York Legislature to ban the use of children in explicitly sexual films and books. It is a necessary and widely supported measure. Unfortunately, its overly broad language would tend to discourage the publication and distribution of reputable works.

Because one outlawed practice—"promoting a sexual performance by a child"—was not modified by the word "obscene," it could be read to apply to a publisher with the most edifying intentions. Mere nudity even in the interests of science or scholarship, might be construed as "a sexual performance."

For example, a well-known sex education book, "Show Me," contains photographs of a little girl and a little boy exploring each other's bodies, and so might fall under the new ban even though it has been found free of obscenity in several court tests. A bookseller might choose to avoid trouble by removing "Show Me" from his shelves rather than risking a heavy penalty or getting involved in costly litigation.

The veto of any bill aimed at pornography would not enhance Governor Carey's popularity, but that is what this ill-drawn censorship measure deserves. It should be clarified to make certain that it hits the right target—the people who in fact recruit and photograph children for pornography, in obscene and not just vaguely sexual context. The Governor should urge the legislators to try again—and to watch their language.