The Legal Services Corporation Should Be Abolished

Phyllis Schlafly *July 6, 1995*

The Legal Services Corporation (LSC) is the acid test to demonstrate whether or not the new Republican majority really intends to reform and reduce Big Government. If the Republicans merely play around with smoke and mirrors, pretending to correct abuses, but leave the money faucet turned on, they will have betrayed their mandate from the 1994 election and left their enemies with a gun pointed at their head.

Budget leader Rep. John Kasich (R-OH) has scheduled LSC for termination, except for some shut-down expenses. Sen. Phil Gramm (R-TX) is trying to get the Senate to agree. Unfortunately, Rep. Bill McCollum (R-FL) is working with the Democrats to reauthorize (i.e., to save) LSC under the euphemism of "reform."

The ideological incompatibility of the LSC with the new Republican regime is indicated by the fact that Hillary Rodham Clinton used to be its chairman of the board. LSC has continued to be peopled with leftist activists who share her class warfare ideology and socialist goals. The record of LSC shows that it functions not to provide services to the needy, but to serve as a pot of gold for leftwing activists to litigate and lobby for radical causes.

LSC has spent $5 billion since 1974. If the leftwing lawyers had merely torched the money, that wouldn't have been nearly as destructive as spending the money the way they did.

In fact, they spent the money to litigate and lobby to increase entitlements (for welfare, aliens, criminals, etc.) that are the chief cause of federal deficits. Howard Phillips, who has been monitoring LSC since 1970 when President Nixon appointed him to a position that included that responsibility, asserts that LSC activism has added $2 trillion to the national debt.

The LSC lawyers have constructed for themselves such a Byzantine, self perpetuating infrastructure and grant-making mechanism that they are accountable to no one: not to Congress, or to the Administration, or to the people they serve, or to the taxpayers who foot the bills.

When most people think of legal aid services for the poor, they think of helping victims, especially women and children. Instead, LSC works for such causes as preventing the eviction of drug dealers from public housing, shielding violent offenders' criminal records from the public, getting perks for prison inmates, and releasing mental patients (who often then join the ranks of the homeless).

When LSC lawyers talk about conducting "research" and facilitating "training," they are using euphemisms for political organizing and lobbying for pro-abortion, pro gay rights, pro-welfare entitlement, pro-criminal, pro-drug, and pro-illegal alien causes.

LSC's litigation deserves a large share of the blame for the out-of-control, failed welfare crisis we have today. LSC initiated the case, *King v. Smith,* in which the Supreme Court ruled in 1968 that the behavior of welfare mothers, including cohabiting with wage-earning males, could not be considered when determining eligibility for benefits.

In *Shapiro v. Thompson* in 1969, LSC got the Supreme Court to ban the one year residency requirement for welfare eligibility. In 1970, in *Goldberg v. Kelly,* LSC persuaded the Supreme Court to require a hearing process before benefits can be cut off for any reason. As a result, hardly anyone is ever cut off.

The theory behind these cases, invented by LSC tax-funded lawyers, is that welfare recipients have a property right in their benefits, just like the rest of us have a property right in our houses or automobiles. This off-the-wall rationale has become the cornerstone of the welfare rights movement, which has changed our laws and picked the pockets of taxpayers.

Another favorite LSC constituency LSC is incarcerated convicted felons. LSC's class action suit against the North Carolina prison system resulted in a requirement that each of 13 prisons provide softball and basketball equipment for two teams, a piano, a set of drums, three guitars, and five frisbees. Another LSC victory was to establish Chicago prisoners' rights to cable television and expensive weight rooms.

Other exotic LSC lawsuits included representing transsexuals in an effort to overturn Georgia's prohibition on Medicaid reimbursement for sex change operations, forcing public housing officials to rent apartments to unemancipated minors, and trying to define opium and alcohol addiction as a disability under the Americans with Disabilities Act.

LSC's current president, Alexander Forger (best known as Jacqueline Kennedy Onassis's lawyer), was questioned in April by a Congressional committee about the imposition of certain limitations on the way LSC funds are spent. He impudently replied: "There is a legal case, if we choose to assert it, that the [House] Committee does not have the authority to make that decision. "

Radical leftwing activism is part and parcel of LSC. It is a fraud on the public to pretend it can be reformed. It must be abolished.