

# Washington Law Review

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## Contents

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# WASHINGTON LAW REVIEW

Volume 45, Number 4, June, 1970

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### Editor's Notes

### Articles

#### Judicial Sanctions and Legislative Redistricting in Washington State *W. Basil McDermott* 681

This case study of the impact of *Baker v. Carr* on the State of Washington attempts to discern the nature of the role of the judiciary in the implementation of new reapportionment rules. Redistricting is usually thought of as a highly political area, outside the normal involvement of courts. Now that federal judges are under a mandate to consider the problems in this area, it is important to understand the capacity of the judicial system to discharge its role. By exercising their power with restraint, the federal judges in Washington sought to influence the political system to do its duty without an open confrontation between the federal judiciary and the state legislature. The author concludes that the actions taken by the federal judges were a necessary condition for redistricting in Washington in 1965. His insights into the political decision-making process may have immediate value as the 1971 legislature faces its constitutional duty to redistrict the state.

### Comments

#### Racial Discrimination in USDA Programs in the South: A Problem in Assuring the Integrity of the Welfare State 727

Allowing the rural poor to stay on the land and to better their lives would be one significant contribution to alleviating the problems of the urban ghetto. Yet, at least as regards the southern black farmer and his family, the federal government has not only allowed its welfare farm programs to fail in wholesale fashion, but has acquiesced in and even affirmatively contributed to that failure. This comment offers some empirical data on rural southern life and describes three representative U.S. Department of Agriculture programs and their failures at the local level with regard to the black farmer and his family. Legal actions and theories are presented which might be used in specific cases to afford all farmers equal access to the benefits of the existing farm welfare programs.

#### The Applicability of the "New" Fourth Amendment to Investigations by Secret Agents: A Proposed Delineation of the Emerging Fourth Amendment Right to Privacy 785

Recent Supreme Court search and seizure cases are the harbingers of a new conceptual way of analyzing fourth amendment questions. The author describes the separate fourth amendment issues of applicability and reasonableness and critically analyzes the Court's development of new privacy rules of applicability. The Court fails to recognize that privacy has both quantitative and qualitative aspects; the limited quantum of privacy analysis may account for this failure. This comment proposes a new fourth amendment privacy model and illustrates its application in various secret agent situations.

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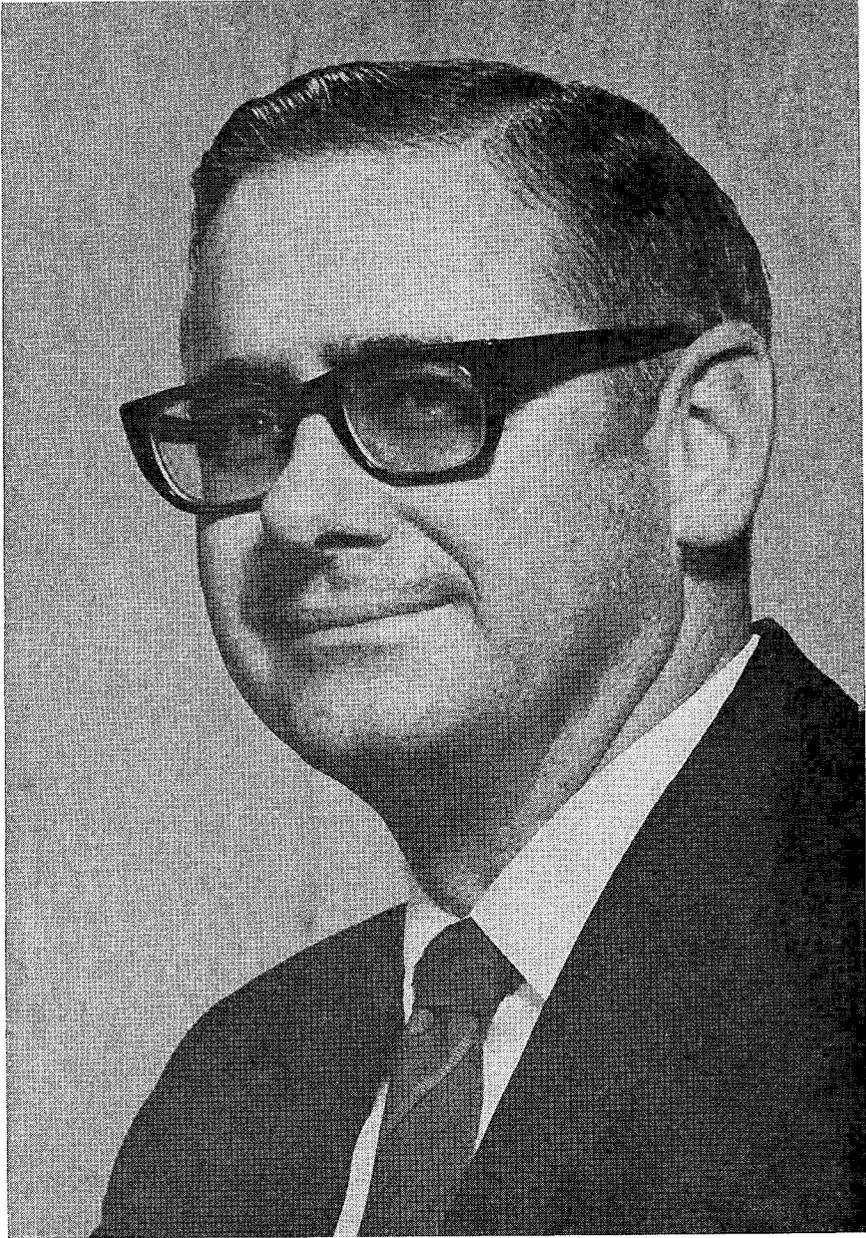
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