# COLUMBIA LAW REVIEW



Understanding the Plaintiff's Attorney:
The Implications of Economic Theory for
Private Enforcement of Law Through
Class and Derivative Actions

John C. Coffee, Jr.

Choice in the Transition: School Desegregation and the Corrective Ideal

Paul Gewirtz

The Immigration and Naturalization Service and Racially Motivated Questioning: Does Equal Protection Pick Up Where the Fourth Amendment Left Off?

DUALISTIC LEGAL PHENOMENA AND THE LIMITATIONS OF POSITIVISM

Dragnet Drug Testing in Public Schools and the Fourth Amendment

Assessing the Legality of Runoff Elections Under the Voting Rights Act

BOOK REVIEW: WHY LAW CHANGES

Bruce W. Frier

VOL. 86 MAY 1986 NO. 4

# COLUMBIA LAW REVIEW

VOL. 86 MAY 1986

NO. 4

Copyright © 1986 by Directors of The Columbia Law Review Association, Inc. All rights reserved.

#### CONTENTS

#### ARTICLES

T	INDERSTANDING	THE	PLAINTIES	's /	ATTORNEY

THE IMPLICATIONS OF ECONOMIC THEORY FOR

PRIVATE ENFORCEMENT OF LAW THROUGH

CLASS AND DERIVATIVE ACTIONS

John C. Coffee, Jr. 669

#### CHOICE IN THE TRANSITION:

SCHOOL DESEGREGATION AND THE

CORRECTIVE IDEAL

Paul Gewirtz 728

#### NOTES

#### THE IMMIGRATION AND NATURALIZATION SERVICE AND

RACIALLY MOTIVATED QUESTIONING: DOES EQUAL

PROTECTION PICK UP WHERE THE FOURTH

AMENDMENT LEFT OFF?

800

### DUALISTIC LEGAL PHENOMENA AND THE

LIMITATIONS OF POSITIVISM

823

# DRAGNET DRUG TESTING IN PUBLIC SCHOOLS AND THE

FOURTH AMENDMENT

852

## Assessing the Legality of Runoff Elections

Under the Voting Rights Act

876

#### BOOK REVIEW

WHY LAW CHANGES

Bruce W. Frier 888

Published by Columbia Law students eight times a year, October to January and March to June inclusive, at Lincoln, Nebraska. Editorial Office, 435 West 116th Street, New York, NY 10027. Subscription \$32.00 per year domestic, \$35.00 foreign, single issues \$8.00 including fourth-class postage. If a subscription is to be discontinued at expiration, notice to that effect should be sent; otherwise it will be renewed as usual. Prepayment requested on all orders. For issues prior to volume 81 inquire of Fred B. Rothman & Company, 10368 West Centennial Road, Littleton, CO 80123.

Change of Address: Send your change of address to the REVIEW at 435 West 116th Street, New York, NY 10027, at least 30 days before the date of the issue with which it is to take effect. The Post Office will not forward copies unless you provide extra postage; duplicate copies will not be sent. ISSN 0010-1958.

Second class postage paid at New York, NY and at additional mailing offices.

POSTMASTER: Send Address Changes to Columbia Law Review, 435 West 116th Street, New York, NY 10027

Unsolveted manuscripts will be considered for publication. All manuscripts should be triple-spaced. We regret that such manuscripts cannot be returned unless they are accompanied by a stamped, self-addressed envelope.