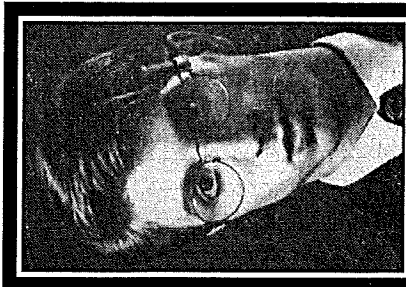


Labor Unions and the Politics of Aztlan

Last week, around twenty Stanford students resolved to fight for justice, equality, fairness, and everything likewise exalted by red-blooded Americans. We beam with pride when we think of these students, products of the finest education available, lifting the lantern of social rectitude high and bright...the leaders of tomorrow. We envision them writing progressive policy memos, making calls to local leaders, or raising funds for the oppressed, the downtrodden, the disenfranchised.



Ryan Bounds

Well, not quite, but they *did* band together in front of a Menlo Park hotel and yell pithy, bromidic rhymes about employer-employee relations. Through their heroic efforts, they impeded the business of an establishment whose anti-humanitarian offenses included belonging to the same holding compa-

ny as a union-busting hotel across the bay. These valorous Stanford crusaders vanquished the powers of darkness with such intellectual assaults as: "Western Lodging, you're no good, treat your workers like you should."

What, exactly, was the social injustice against which these students inveighed so valiantly? Three employees of this hotel's sister establishment in Lafayette were allegedly fired for attempting to form a union. Naturally, one's perception of the value of unions surely determines how one views the activities of Stanford's own merry brigade of *sans cullottes*, but this is apparently more than a mere economic or political issue to some. Indeed, MEChA, Stanford's Chicano/Latino student organization—which constitutes anything but a public policy institute, as near as I can tell—has officially taken a position in favor of the fired employees and against the Lafayette Park Hotel and its ilk.

Points of Light

"Affirmative action should be revisited because it's been perverted from its original intent of addressing legitimate need minorities face blacks in nation."

Now the alert reader will protest that MEChA is avowedly concerned with issues pertaining to the Chicano and Latino communities beyond Stanford's campus. In fact, its constitutional statement of purpose avers that it "is a social, cultural, and political organization." [emphasis added.] As such, we can presume that it felt perfectly justified throwing its hefty institutional influence behind last week's protest on purely political and economic grounds. MEChA's apparatchiks must see a link between Stanford's Chicano and Latino students and the parties to this labor dispute in a hotel in some other county. That link, however, is far too dubious for this university to underwrite indirectly MEChA's self-important denunciations.

I would hardly suggest that no student group should be able to take up a political matter, if it is of direct relevance to its purported mission. I would contend, however, that no student group that is affiliated with an ethnic center or any other department of this university has any business holding political issues central to its mission. This seems to be the policy that President Casper articulated last month when he announced that he was unwilling to impose a grape boycott on the university's administrative units. If the university as a whole should not be political, it is certainly not acceptable for the Dean of Student's Office, the sundry ethnic centers, or the clubs that derive many a material benefit from those ethnic centers to be political either. Stanford University does not take political stands (according to our president), so neither should groups that organize themselves around its agencies.

Of course, it is not merely presidential fiat that militates against MEChA's

grandiose political demonstration. Common sense and its own statement of purpose should have proven more than adequate restraint. What political purposes of Stanford's Chicano and Latino communities are advanced by assaulting a local business that is only tangentially involved with some remote labor dispute? For that matter, what does a small-scale labor dispute have to do with these communities in the first place? Is it a germane matter of political concern for MEChA that hotel staffers, many of whom happen to be of the race or ethnicity with which it concerns itself, are not making \$15 per hour? If MEChA considers any sub-opulent living standard or less-than-enviable wage that is endured by a Latino or Chicano American to be grounds for it to make a bombastic organizational pronouncement, why hasn't it circulated a policy memo against the minimum wage for which so many Latinos and Chicanos are forced to slave away? Surely, a minimum wage of \$25/hour for Latinos and Chicanos would be more in keeping with its policy objectives.

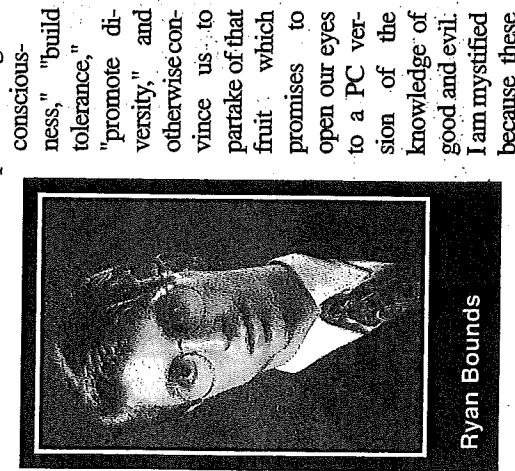
The point is that MEChA should stick to doing what it does best, which is educating members of the Stanford community about Chicano and Latino cultures as well as Chicanos and Latinos everywhere about health and literacy. Stanford students hardly voted for MEChA's special fee request this spring because they felt that what Stanford really needed was its own local of the teamsters. MEChA is first and foremost a cultural and educational organization—politics are, and should remain, a distant second.

Ryan Bounds is a senior studying psychology and political science. He is the opinions editor of *The Stanford Review*.

COMMENTARY

Race-Think: A Stanford Phenomenon?

During my years in our Multicultural Garden of Eden, I have often marveled at the odd strategies that some of the more strident racial factions of the student body employ in their attempts to "heighten



Ryan Bounds

consciousness," "build tolerance," "promote diversity," and otherwise convince us to partake of that fruit which promises to open our eyes to a PC version of the knowledge of good and evil. I am mystified because these tactics seem always to contribute more to restricting consciousness, aggravating intolerance, and pigeonholing cultural identities than many a Nazi bookburning. Strangely, the Multiculturalists don't seem to catch on to the inevitable non-efficacy of their rallies, protests, whinnings, demands, and vitriolic brickbats towards all printed policies not incorporating the language of the 1964 Civil Rights Act in their preambles.

Luckily, my \$100,000 fuzzy education — good for nothing else — has equipped me to turn to the annals of social science for an answer to why multicultural demagogues have

trouble devising policies that might enhance intergroup understanding, cooperation, and appreciation (if, indeed, that is their aim). I have found a theory that, with the slightest of modifications, might explain this mind boggling phenomenon. With this, I illuminate a path along which all of social science will surely follow.

In 1971, a psychologist named Irving Janis articulated the influential concept of "group-think" to describe the remarkably flawed decision-making process behind such historical disasters as Pearl Harbor, the Bay of Pigs Invasion, and the escalation of the Vietnamese war. It is a very enlightening concept, because it contributes to our solution of a pervasive and familiar mystery: how and why do groups of otherwise rational people get together and act stupidly? Janis's answer is elegantly simple: cohesive groups that place a priority on concurrence when making decisions fall into socially induced behaviors that squelch rational opposition and reservation, leading to predictably thoughtless decisions.

Group-think goes a long way in explaining such questions as why President Lyndon Johnson and his cronies surmised that they could bring a determined North Vietnam to its knees with scant American losses and why baseball players and team owners refuse to agree to a mutually beneficial compromise. I propose that the group-think phenomenon is behind our multicultural mystery as well.

There are eight fundamental behaviors that Janis described as components of group-think. These behaviors tend to enhance close-

mindedness, pressures to conform, and delusions of superiority within groups (already the discerning reader will see the applicability of this theory to the multicultural elite). Briefly, the behaviors that Janis described are: 1) believing in the group's invulnerability 2) believing in the group's unquestionable morality 3) rationalizing the group's actions 4) stereotyping the group's opponents 5) pressuring dissenting members to conform 6) censoring of personal disapproval 7) maintaining an illusion of unanimity 8) posting "mindguards" to ensure that leaders are not exposed to unwanted information and opposition.

I submit that the Multiculturalists, when they divide up by race for their feel-good ethnic hoedowns, engage in nearly all of these behaviors. Of course, group-think in Janis's conception refers to very small policy groups that band together through common interests and shared influence. So, in order to devise a theory for our groups of interest, which are larger and self-selected largely by skin color, I propose a modified conception of group-think which I shall call "race-think."

Race-think is an insidious phenomenon that skews decision-making in ways similar to group-think, but there are a couple of differences between the behaviors that Janis documented and the activities of the multicultural apparatchiks. First and foremost, Multiculturalists band together not into tight cliques of mutual interests and complementary powers, but rather into social clubs of ostensibly common racial heritage. Second, members do not tend to see themselves as invulnerable, but in-

stead as universally and unbearably persecuted. Other than these two differences, however, I hypothesize that group-think and race-think engender the same irrational behaviors and results.

A brief survey of the eight behaviors of race-think reveals how ingrained the phenomenon is. The first behavior — and by far the most pervasive and deleterious — is a perception, embraced by Multiculturalists who are not white males, of themselves as beset on all sides by hostile intrigues, cabals, and conspiracies. Several examples of race-think paranoia spring immediately to mind. When Cecilia Burciaga's high-ranking administrative position was terminated last spring, Chicano students decried the "institutional racism" at Stanford that allowed one of the few Chicano administrators here to be perfunctorily dismissed. The response, where it should have been a condemnation of the provost's clumsy personnel-management style, was an accusation that the president and provost were colluding to ignore, neglect, and oppress Chicano members of the community.

This is not to suggest by any means, however, that the Chicano faction has cornered the market on paranoia. All of the ethnic elites were out in force a year ago to forestall any hint of budget cuts to their student-enclaves, once again accusing the president and provost of conspiring, in their worship of the lily-white dollar, against minorities. As with all paranoia, this accusation had its obviously delusional un-

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derpinnings. Black students were particularly fond of impugning Provost Rice with a severe lack of racial sensitivity, apparently because she, although black, refused [alas, only at first] to see things their way.

The second behavior of race-think is believing that the moral superiority of the group is unquestionable. Truly, the Stanford Multiculturalists are heavy hitters in the big-leagues of sanctimony; few would dispute that. A letter to the editor of the *Daily* last week says it all. Deriding a fundraising scheme cooked up by the athletic department called the "Sixth Man Club", two characters named Michael Jones and Joshua Groban complained that selling prime seats to students who could then show up and be seated right before each basketball game is "contemptible" and an "abomination." Why is selling seats reprehensible all of a sudden? Because the people who have purchased these seats are "practically all white, all male, and fraternity-dominated..." This is multicultural rectitude at its zenith. Whenever a group of white males happens to be at the same place at the same time, you can be sure that the foul stench of oppression and exploitation lingers in the air. In contrast, ethnic centers, whose sole purpose is to bring together exclusive cliques of students to revel in racial purity, are so righteous that the mere mention of cutting their budgets incites turmoil on the grandest scale.

The third behavior behind the race-think phenomenon is rationalization of the racially activist agenda. Most groups — indeed most people — engage in rationalization. The great thing about the rationalizations of the ethnic moral minority is that they are often diametrically opposed to the actions for which they are developed. Ask the leaders of the BSU or EI Centro or AAAC why they sponsor racially exclusive activities and meetings and they are sure to let loose with a high-minded stream of drivel about promoting harmony and intergroup appreciation. There seems to be more than a little tension between rationalization and action when you suffer from race-think.

The fourth race-think symptom is stereotyping the opponent, and the Stanford Multiculturalists have this one down to a science. The opponent is the white male and his coterie of meanspirited lackeys: "oreos," "twinkies," "coconuts," and the like. The opponent is intrinsically incapable of understanding the enlightened viewpoint; any disagreement he offers is due to insensitivity, and any agreement he grants springs from well-chosen, but insincere, deference to the morally superior race-thinkers. He enjoys making money and buying material things, just to make sure that people with darker skin don't have access to them. He enjoys killing children and revels in the death of minorities (if you are white, male, and pro-choice, for instance, it is often ascribed to your desire for poor black and Hispanic women to abort their children as frequently as possible). He exploits foreign nationals through capitalistic imperialism, by paying them for their services. He is hopelessly unable to understand the cultural and political conditions that exist among persons who are not white. And he is incapable of seeing another person as an individual of equal status unless that person is white (any tan confuses him). Such is the opponent, and, if you are a white male, you are the opponent.

The last four behaviors that inhere in race-think form acute pressures toward conformity. First, there is a strong pressure by race-thinkers on their racial cohorts to conform to a transcendent standard of what belonging to such-and-such a minority means. If a black person is an individualist and a thoroughgoing capitalist who eschews victimhood status and its concomitant entitlements, race-thinkers are quick to brand him "oreo," "Uncle Tom," or "sell-out." This is a beloved tool for consensus-building at Stanford, land of multicultural toleration. A conservative black editor of this newspaper, Ed Malone, could always count on the black ethnic elite for some sneering dismissal of his personhood...this is unfortunate only because

many other minority individuals are now that much more motivated to keep their reservations to themselves, fearing ideological exhortation similar to what Mr. Malone experienced.

Mr. Malone is not an isolated example, sadly. I have had at least two "Chicano" individuals admit to me that they resent the enormous pressure on them to play the Chicano role. One of them is Chicano only in obscure facial and dermal characteristics: she has no affinity for Mexico, is not Catholic, does not speak Spanish, prefers to date fair men, and is utterly unconcerned with the legacy of Poncho Villa. She has been branded a "coconut" by some of those ultra-tolerant Stanford race-thinkers.

Such public disapprobation of individual identities that differ from "race-identity" has led to the sixth symptom of race-think: self-censorship. Minorities who associate even superficially with the rabid ethnic elite of Stanford are extremely hesitant to stand up and denounce racially exclusive tactics or racially-motivated judgments of selves and others. The "Chicana" I described above is certainly not going to risk utter ostracism by saying that what a lot of her friends do is silly. Hence, the Stanford Multiculturalists march blithely around campus, conveniently unaware of how many of their racial cohorts disapprove of their tactics.

Pressures to conform to external "race-identity" standards and the self-censorship that springs from these pressures result in the seventh symptom of race-think: an illusion of unanimity. Since the vast numbers of minority individuals who disagree with the practices of racial exclusion and racial identification on this campus are too tremulous to speak out, Stanford's multicultural generalismos maintain (and nurture) the delusion that they speak for the interests of all minorities. They can and do claim, to themselves as well as others, that the disagreement that they do confront comes from the racist opposition and its brainwashed minority lackeys.

To keep awareness of rational opposition to a minimum, race-thinkers engage in one final behavior: they institute "mind-guard" procedures to preclude the effective vocalization of differences. Stanford's ethnic elite have this tool mastered. My personal experience provides an apt illustration of mind-guarding. I wanted to attend a publicly announced meeting of students, organized by bigwigs at the Black Student Union among others, who were concerned (don't ask me why) about the loss of university support for a separate orientation weekend for prospective black students. Perhaps their barbe-

cues are more scintillating than the run-of-the-mill barbecues to which the rest of the prospective freshman are invited. Maybe the special black recruitment program ensures an opportunity to start early in the institution of race-think... Anyway, I was promptly booted from the meeting because my fair complexion cued these race-think champions to view me as the opponent, unable and unwilling to understand their perspective. They ensured, of course, that I never will. But then, I am the opponent.

So next time you marvel at the continuing lack of consensus and cooperation on race issues in our multicultural haven, thank social science for shedding light into some of its darker corners. The source of persistent tension is not that the Multiculturalists are stupid or silly or ill-willed when they make unproductive demands and policies to promote "diversity," "cooperation," and "toleration." Instead, antagonism arises when they separate into groups extremely hostile to rational agendas. Race-focused groups foster race-think, and the only way to rid our multicultural community of race-think is to rid it of these invidious factions. We should be cheered, however, to know that our task is not impossible. The existence of ethnic organizations is no inevitable prerequisite to maintaining a diverse university community — white students, after all, seem to be doing all right without an Aryan Student Union.

Ryan Bounds is a senior studying psychology and political science. He is the opinions editor of *The Stanford Review*.

FOR RECORD

- ✓ For some reason, we just can't get excited about letting the ASSU take over the duties of the Post Office. Kinda like letting Socks take over for Bill.
- ✓ Word is that Ujamma sent representatives to dorm meetings last week hoping to collect a cool \$100 per house. The noble cause? Last Friday's "Club UJ" party, of course! Why, forget grapes and AIDS patchwork; this is something worth my money. Our check for next year's party is in the mail.
- ✓ Actually, we're surprised the ASSU hasn't added mandatory funding for the UJ party to their Ultra-Slim-Fast-Guaranteed-Take-Off-The-Pounds Diet Plan for your wallet (also known as the Special Fee System). Oops! Better hope the Senate's not reading this.
- ✓ Speaking of grapes, Building 10 has been keeping a lower profile than Miss Piggy at a spam factory regarding the Grape Policy Committee report. Their excuse: we haven't had time to read it. Come on guys, it's time to snap out of it — the O.J. trial isn't that interesting.
- ✓ Update from Sunken Diamond: as of last Thursday, Cardinal bats are still slumbering. In fact, Clinton political nominees are having an easier time with the Senate than our lineup is with opposing pitching.
- ✓ You know you're in for a long night when five minutes into an Allen Ginsberg poetry reading you find yourself longing for the verse of that modern-day Milton, Jimmy Carter. Don't worry, we were only there for the free food.
- ✓ Last Tuesday's *Daily* editorial ingeniously suggested that the ID system be scrapped entirely in favor of a network of less primitive thumb-print readers. Naturally, anything that drags Stanford out of the stone age is fine by us, so why not issue phasers to campus security and replace the SURE escort service with matter-issue transport devices. Beam us up, Dworkin.
- ✓ Sam Edwards' "Procrastination Workshop" couldn't have come a moment too soon. Sign us up — well, maybe later. We're all pretty busy right now and, uh, we'll get back to you on this one.
- ✓ Dining Services Operations Manager Craig Mitchell checks in with the quote of the week. Mitchell, commenting on the wholesale price of Snapple and the relative high price doms charge, explained "Our costs are very strange." No comment necessary.

◆ Toby

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This confusion drives grade inflation.

When some professors give everyone or nearly everyone an A, students who enroll in a course taught by a professor old-fashioned enough to give C's, D's and F's are at a competitive disadvantage. A "C" in that course can ruin their averages and jeopardize their chances of getting into law or medical school even though it does not mean what readers of the transcript think. This tempts many students to take courses with professors with the lowest grading standards, and tougher professors are tempted to sell out to the enrollment votes of student consumers.

A more pointed attack on grade inflation will begin this fall at Dartmouth. To reduce the incentive to give and to receive

inflated grades, Dartmouth will start to include on the student's transcript not only the grade in the class but the size of the class and the median grade of all of its students. Predictably, some professors objected. Prof. Delo Mook of the physics department said this would "pit one student against another. I don't think it [competition] is something we want to encourage."

But one of the main reasons for going to schools and colleges instead of being educated by one's parents is to find out how one compares with agemates in the ability to learn what society thinks it is important to know. The grading system has to be consistent, however, for the competition to be fair. Without compelling professors to change their previous grading practices, the new Dartmouth policy, used also by a few other colleges and universities, seeks to return grading to a more hon-

est evaluation of students, which is what grades are intended to be.

Students need to discover early whether they are wasting their time in college because they lack either the intellectual ability or the motivation to learn enough to justify taking four years out of their lives. An "A" should encourage the students to continue studying; he is learning what he is supposed to be learning; a "D" or an "F" should tell him that he may be in the wrong field or the wrong college. Or maybe a low grade tells him that he should stop fooling around and start studying.

Society—and society includes parents—also needs grades. Is the enormous expense of sending a student to college for four years—as much as \$100,000—likely to pay off? It is now almost impossible for a student to work his way through college without a subsidy from parents, government or the college itself. Shouldn't stu-

dents justify the subsidy to their sponsors? Several low grades suggest that the student may be better off quitting and taking a full-time job, or shifting his studies to a school or program where he will do better.

Postscript: I discovered the identity of the angry student. A computer check showed only one student with a B+ in criminology and two previous semesters with a straight A average: a graduating senior with a double major in economics and computer science. Had my evaluation of his work cost him an award at graduation? No, it hadn't. Although his cumulative average was very good, grade inflation had eroded the value of his achievements; many of his classmates had even higher averages.

Mr. Toby is a professor of sociology at Rutgers University. This column originally appeared in *The Wall Street Journal*.

COMMENTARY

America in 2250: a Vision

"I just don't understand why it is so hard for you to accept," sighed Banthas, "that I do not believe in them."

He could see the anger in his father's face.

Mr. Fobi clenched his fist and pounded it on the table. "I do not see why you are being so difficult. What is there that is unbelievable? The gods inhabit everything. Our lives are good because they will it to be. The gods cannot be seen or touched; their existence is not scientifically provable, nor disputable. You have to believe, Banthas, because you have no choice: Do not turn your back on them and on your family... do not abandon our ideals."

Banthas, a typical-looking Zambezan youth of twenty-third century America, leaned petulantly against the stark white wall of the family kitchen. His arms laid across the traditional leather vest, which he habitually wore foppishly unfastened, and his eyes rolled in exaggerated imitation. "Why do I have to believe in everything that you believe in to be a member of this family?"

"Banthas, a family is a people's most fundamental and sacred unit. It is so special because, like an entire culture, its members share the same attitudes and traditions. People in the same family are bound by common ideals. Didn't you learn the story of the young man who left his family and struck out over the dunes and the mountains? Don't you remember how he lost his confidence and his sense of himself because he lost contact with the ideas of his people? Cultural education should teach you that lesson, if no other." Banthas' father was becoming less angry, but in his anger's stead grew anxiety. He could not imagine what was compelling his oldest and (by Zambezan custom) most favored son to denounce the infinite wisdom of his forefathers.

Mr. Fobi, nevertheless, was certain of two things. First, something had gone terribly wrong with the educational and political

system of the vast multicultural society of which his family was a part. Surely, Banthas had not nurtured this revulsion against his people's idols on his own; the Education Minister

Amid a thousand other thoughts, Mr. Fobi could not help but marvel: "it is miraculous that all these young adults from different backgrounds can attend school, grow and work together, and yet so valiantly resist the temptation to hate each other... or love each other."

currently a Mandarin Buddhist — had obviously not taken proper steps to ensure that Zambezan culture was portrayed with the esteem and appreciation it deserved. (And why would he? To expect that he would be as interested in Zambezan culture as in his own would be unreasonable, indeed...) Secondly, Mr. Fobi was certain that he could not

allow his son to ignore the principles of his culture, of his family, and of his ancestors. Such indulgence would threaten the fragile foundation of the larger multicultural society and the very integrity of the proud Zambezan community. Surely, he thought, Banthas could be made to see that.

The following day, intent on investigating the precise cause of his son's alarming shift in attitudes, Mr. Fobi decided to spend his lunch hour viewing a part of Banthas' class at Public School #954, which every youth within five miles was required to attend. As Mr. Fobi strode through the crowded halls of the school, he was jostled by students of every earthly complexion, all wearing — quite nearly like badges of personal merit — the costume of their particular culture. It was beyond him how the Aleutian students could bear the oppressive Los Angeles heat in their heavy sealskin jackets, but, of course, he was not Aleutian. Amid a thousand other thoughts, Mr. Fobi could not help but marvel: "It is miraculous that all these young adults from different backgrounds can attend school, grow and work together, and yet so valiantly resist the temptation to hate each other... or love each

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Ryan Bounds

Operation Senate Storm

STRIKE TWO! The Associated Students of Stanford University's (ASSU) recent stance to oppose proposition 187 marks another swing and miss, another instance where it exceeded its limitations as a student government organization. Four years ago, the ASSU Senate passed a bill opposed to U.S. intervention in the Persian Gulf after Iraq invaded Kuwait.

The issue is not whether the Senate's stance was right or wrong; it is whether the Senate has the authority to take official stands on off-campus issues at all. According to the Constitution of the ASSU, "No ASSU governing body, including the Senate or Council of Presidents, shall exercise this right [the right to represent the entire Stanford student body in non-University affairs] on matters not directly affecting Stanford students." It continues, "A matter shall be construed as directly affecting Stanford students only if there is at least one Stanford student who is affected by the matter in a substantially different manner than would be the case if he or she were not a university student."

As important as the issues of Proposition 187 and Operation Desert Storm were, one would not have been affected by Proposition 187 or U.S. intervention in a "substantially different manner" if he or she were not a student at Stanford. The Senate Bill that opposed the passage of Proposition 187 claimed that the proposition would decrease the "legal, medical, and educational rights of Stanford students, their partners, their children." True, but Proposition 187 does the same for every citizen of the state of California, regardless of whether or not that citizen is a Stanford student. People in every district and community in California would be subjected to the demands of Proposition 187; being in the Stanford community does not make the restrictions of proposition 187 any different.



Christopher Wang

Four years ago, the ASSU officially opposed U.S. intervention in the Middle East during the Iraqi occupation of Kuwait. The ASSU believed that its involvement in this national issue was justified because Stanford students were not exempted from the draft. Again, the ASSU mistakenly thought that anything that affected Stanford students in any way could constitute as University affair. Clearly, Stanford students could have been affected by a draft resulting from American intervention in the Middle East. But, people who would have been affected by a draft would have been affected in the same manner had they not been Stanford students. Why, then, does the Senate need to take a special position on the matter?

The popular misconception is that anything that affects a Stanford student in any way gives the ASSU the right to represent the student body to deal with the matter. Many things affect Stanford Students, ranging from the weather, the economy, to the Clinton administration. What everyone seems to ignore is the part of the constitution stating that an issue directly affects Stanford students if and only if the matter affects the Stanford student in a way that would have been otherwise if he or she were not a student at Stanford. This misconception is clearly reflected by Council of Presidents member Mark Murdock's statement that: "... it is the sole responsibility of the ASSU to represent students on issues which affect them as Stanford students — even if it means only one student." In his statement, he focuses on the aggregate effect an issue has on Stanford students, not the effect it has on students above and beyond the effect it has on other citizens.

Without considering a strict constitutional interpretation, should the ASSU advocate issues with state and national magnitudes? To answer this question, one should think back to how and why these ASSU Senators and Council of Presidents were voted into office in the first place. Did we vote for the members of our student government for their ideology, convictions, or interpretation of state, national, and international politics? No, we voted for

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FOR THE RECORD

✓ Well, the Council Of Pukes has done it again. Just when you thought that they had defined the outer limits of human incompetence, they set a new standard last week by asking for the resignation of Publications Board Director Danny Bressler so that Anietie Ekanem could take over. The COP has since reversed itself, narrowly avoiding a publications revolt in the process. Bressler is committed, qualified and wildly popular. He has served the Pub Board for two tremendously successful years: one as deputy to the very able Stephen Russell, and one as director himself. During this time, the number of publications has soared from 10 to 19, and distribution capabilities and facilities have been improved tenfold. In our estimation, there are University matters more pressing than the successful Pub Board, and the COP should turn its attentions elsewhere.

✓ Nice campfire last Thursday, but maybe we should be more careful next year. On three different occasions during the campfire, insects flew into the inferno and tragically died. When will this human terrorism of the planet stop?

✓ It is no secret that the academic standing of some football players is not up to snuff, but many people have been willing to forgive those shortcomings. However, with the team losing and some players behaving like absolute goons (the type of behavior you would expect at Florida State or Cal), you have got to wonder whether sacrificing academics is such a great idea. The biggest shame is that just a handful of players are dragging down the rest of the team, which is stocked with an overwhelming majority of legitimate student-athletes. Remember the lesson learned at Big Game: the chain is as strong as its weakest link.

✓ The Islamic Student Association felt compelled to hand-out disclaimers at Flicks last week so that no one at Stanford would confuse the villains in *True Lies* with real Muslims. Praise be to Allah that they did so, for without their input we would have been completely fooled by the Cameron's believable style.

✓ If a fat, loudmouthed comedian is placed in a deprivation tank for an extended period of time, will he turn into a super-model?

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other." He was tremendously relieved that this was possible.

The portion of the curriculum that Mr. Fobi saw was an exploration of man's origin from the perspectives of the African cultures. As he feared, the Zambesian outlook was woefully misrepresented by the South African guest-lecturer, who was personally responsible for teaching all 75 of the acknowledged African cultures that day. Despite the best of intentions, the Zambesian perspective was portrayed as merely superstitious and irrational, and it lacked the poetic justification for the belief system which had been passed down from father to son for three hundred generations. Most distressingly of all, the lecturer spent only half as long on the Zambesian view as he did on those of western and southern Africa (the latter two cultural regions were, in Mr. Fobi's view, mostly the same, anyway). "How," he despaired, "is Banthas supposed to appreciate and remain loyal to his own people, when their culture is so unfairly presented? It is no wonder he does not believe — no wonder that he embraces the godlessness of the western and southern peoples."

Mr. Fobi returned to the Regional Tribunal, where he worked as a judge. It was Mr. Fobi's particular duty to preside over the trial and sentencing of any fellow Zambesian who was charged with a crime, just as it was Mr. Andreassen's duty to dispense justice to his fellow Danes. The days of expecting a person to receive a fair trial from a judge of a different race or creed had vanished with the New Enlightenment. It was, in Mr. Fobi's day, unquestioned that a person should be judged and punished only within the context of his own cultural upbringing, a factor of which a person of a different race or creed could not hope to have an adequate comprehension, despite the best efforts of Cultural Education. This realization was the foundation of the new social system, and the pride of every modern thinker.

At the end of the day, Mr. Fobi returned home. He had been pondering the previous evening's conversation with Banthas, and decided that the best course would be to reveal to his son the danger that his novel beliefs held for Zambesians and for the larger society. Mr. Fobi walked into the recreation room, where he found Banthas watching a French comedy on the wall-sized monitor. He addressed his son with an air of understanding and support, "Banthas, I have realized why it is that you do not believe what your mother and I see as the truth. By the short-sighted design of that Mandarin Minister of Education (his voice assumed an inevitable sneer), Zambesian ideals have been shown as silly . . . perhaps as unimportant. You see value being placed elsewhere, on other African cultures and the Chinese cultures. It must confuse you, I understand that." Mr. Fobi held his breath, waiting for the response he knew to be forthcoming.

"Father, I do admit to being confused, but I cannot force myself to believe all that you and mother believe. What difference does it make anyway?"

"It makes all the difference in the world, Banthas. For the same reason that a Zambesian can never marry a person of Greek or Cambodian descent, you must not surrender the ideals of your people. To do so would hasten the dissolution of our proud and independent culture, and, as the gods would have it, nothing is worse." Mr. Fobi sighed and continued: "Before the New Enlightenment, everyone thought as you did. Premium value was placed on personal success in a society dominated by one culture. Myopic policies and lust for personal indulgence brought many great cultures to their destruction as they melted into the traditions of the dominant people. But, with the New Enlightenment, these cultures were rediscovered and their value finally appreciated. The education that you receive and the laws on which I rule reflect our society's commitment never to allow another culture's destruction. Culture is no longer merely man's expression of himself, but the end of man's actions."

"Father, I know all about the New Enlightenment," Banthas insisted, "but what does this have to do with me?"

"Banthas, it means that you will learn to believe in the gods. It means that you will go to the temple with your mother and me. It means that you will not watch any more of these ludicrous French comedies — for they obviously steer your mind in the wrong direction. If you, Banthas, are allowed to abandon the righteous ideals of the Zambesian people, then all who are educated incorrectly by our required schools will abandon them, as well. Our culture — our people — would be no more. All this because you presumed to express your beliefs instead of those of your parents and your neighbors."

Banthas rested his head on his hand as he slouched in his chair. With a languid motion he pressed a button, and the image of the laughing Frenchman faded from sight. He turned and watched the stern figure of his father as it marched silently from the darkened room.

Banthas sat for at least a quarter of an hour in the empty room, ruminating over his situation and the unfortunate but unequivocal signs of dementia he perceived in his father. Then, possessed by nothing but his will to do things his own way, Banthas went to his room to perform, perhaps for the last time, what had become his favorite self-indulgence. He locked the door to his room and quietly, oh so quietly, played a recording of an English rock band (whose music was the very antithesis of Zambesian pipe music). With swift and furtive movements, though he knew the door was locked, Banthas shed the brown leather outfit which was the hallmark of the proper Zambesian and donned a pair of faded denim jeans and a plain white t-shirt. After admiring his appearance in the mirror, Banthas left his room, sneaked out of the house, and headed resolutely toward the center of the metropolis to pretend — if just for a day — that he was not Zambesian, after all.

Ryan Bounds is a senior studying psychology. He is the opinions editor of *The Stanford Review*.

◆ Rawls

continued from page 6

cerned for the conformity of our awakening sexual urges, as a biological backup mechanism for inducing heterosexual behavior. Our crushing adolescent drive to conformity causes a great deal of misery, and not just for homosexuals, but genes that can produce such a drive have a clear selective advantage, getting passed on by those homosexuals who it can induce to act heterosexually.

If I am right about this, the biological forces allied to create repulsion towards homosexuality and self-hatred in homosexuals are powerful indeed, and any social engineering attempt to ameliorate these forces must pay close attention to how the driving biological forces are likely to operate. If social conformity in adolescents (including the eerily perennial

conforming non-conformity) really is a backup mechanism for enforcing sexual orientation, there may be some scope for ameliorating hatred and self-hatred of homosexuals by including them in the social mix. When conformity is the driving force, the mere presence of a thing can make it acceptable. The example of ancient Greece certainly proves this, if even a pathology like pederasty can become socially acceptable if only it propagates sufficiently.

But if this mechanism for increasing tolerance is to work, homosexual awareness must be introduced in a way that does not excite the primary mechanisms of repulsion towards homosexuality that will be active in those who do not have their wires crossed. Otherwise, this excited repulsion could well become the norm. Wisdom would be to target attention so as to emphasize the valuable humanity of homosexuals while dwelling as little as

possible on their problematic sexuality.

One would hope that some way can be found to ameliorate the self-hatred that leads many homosexuals even to kill themselves. At best, this is how one can see the Segal tableau — as reaching out to those who are struggling with self-hatred induced by their drive to conformity and saying "there is a place for you". How far this timid display of four geeky pallid ghosts sporting a 70's homosexual chic goes to deliver such a message I don't know. I hope it is a comfort, but as a call for toleration I think the tableau is ill judged.

The fact is, very few people have anything but good will for homosexuals. I suspect this is true even of those students who vandalized Gay Liberation. Listen, you with your wires crossed: we moderate our instinctive revulsion to your instinctive natures out of regard for your larger worth. We just don't like being repaid for this ef-

fort by having our noses rubbed in what we are trying to moderate our negative reaction to. What ever happened to common sense?

Homosexual activists pretend it is unfair if their situation is not symmetric with that of heterosexuals — that it isn't fair if their sexuality does not enjoy the same public acceptance. But fairness is not about equality, it is about mutuality, which means accounting all value, which means accounting the reasons why things are different for homosexuals. Homosexuals got stuck with a sexuality that their and our biological mechanisms are trying to stamp out. We are glad to try to alleviate their difficulties, but reciprocity requires accounting the special problems their situation raises and trying to solve them from their side as well.

Alec Rawls is pursuing a Ph.D. in economics.

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COMMENTARY

The Case of the Missing Professors

Every year when they arrive on campus, Stanford students read under the rubric of "Property Protection" in the Farm Almanac a laundry list of *do's* and *don't's* that is aimed at protecting them from the despoliations of undetected marauders. The list is helpful (to anyone incapable of exercising common sense on his own behalf) and well-meaning: keep your doors and windows locked when you leave your room, store valuables out of sight, mark your stereo and computer equipment indelibly, et cetera. These are words to live by, to be sure, but the list neglects to disseminate the one piece of advice that might arrest the biggest heist on campus. The pillage, this larceny of larcenies, has nothing to do with pirated telephone-PACs or the fact that some freshman just got a great deal on the bicycle you have not seen in two years. No, it is larger and more insidious, and everyone who is reading the Farm Almanac is already an unknowing, if not a willing, victim. Despair not, however, for there is something you can do to protect yourself from this fraud that runs rampant and costs millions. Avoid your mail box in the first week of December: don't go after dark, don't go during the day, don't go at all. Whatever you do, do not open the innocuous looking, white, business-sized envelope with a return-address at the Stanford University Bursar's Office. Chances are that it is a bill for services neither rendered nor forthcoming. The law protects you from having to discharge such spurious accounts.

You have, nevertheless, probably been accustomed to issuing your insanely hefty check with an alacrity rivaled only by the enthusiasm with which the Provost and President have been disgorging nonexistent funds to cliquish student groups... This is because you have inevitably succumbed to an improvident campaign of delusion, hyperbole, and misinformation that started before you had even signed on the dotted line: Stanford students enjoy one of the best educational environments to be had in the world! They lounge on a sun-drenched, library-studded campus, rubbing elbows with Nobel laureates and eminent scholars by the gross! The scholastic opportunities are endless, the rosy fragrance of academia permeates the air, students sit engaged in scholarly intercourse with the most celebrated academics of our day, there is a professor for every ten students! These are the "services" for which Stanford students gladly pay, and anyone who doubts that these services are forthcoming needs look no further than the photographic evidence emblazoned on the cover of "Stanford Today," the University's application catalogue!

It is true, the catalogue suffers no shortage of photographs — doubtless spontaneously shot — of brightly inquisitive students and beaming professors conversing in claustrophobic poses. The same publication depicts several Stanford classes, every one of them small and looking as though the discourse is more littered with intimate repartee and personal witticisms than with sounds of snores and crinkling newspapers emanating from the last three rows of a 250-person lecture hall. The truth at Stanford, however, is that there are both kinds of classes, and most students spend a dizzying number of their class-hours in the latter, never closer to many of the celebrated academics with whom they pay the big bucks to "rub elbows" than the darkened fifth row of an auditorium.

This is the fraud, the big swindle, the sham. The undergraduate education of a typical Stanford student does not and, in the current system, cannot center on the educational interaction between him and the academic superstars whose names and research drew him to this campus, notwithstanding the depictions of the personal relationships of a few students and their genuinely interested teachers that cram the pages of "Stanford Today." The publication that lures the applications of 7,000 hopefuls every year would be hard-pressed to satisfy common expectations of truth in advertising, and every time we pay our University bills, most of us are getting fleeced.

What I mean when I suggest that we are being defrauded *en masse* is that the University is not serving the very purpose of its existence, that it is defying the expectations generated by both its reputation and its own glossy advertising, that it is, essentially, relegating teaching, that age-old academic pursuit, to the status of an afterthought in the professorial job-description

— research is the currency on this campus. I would hardly make the claim that there is a shortage of stellar academics at Stanford who condescend to stand before groups of students and present a canned lecture once, twice, or even thrice a week. Rather, the professors who lecture for us default on every other duty that inheres in good teaching: they are all too often inattentive to the very students whom it is their job to instruct, they are regularly inaccessible to students who make icarian efforts to flush them from their laboratories, and

they are generally far less interested in their students' quests for knowledge than in their own research. Instead of being taught by those who purport and are paid to profess, undergraduates at Stanford University are left too frequently to learn from, interact with, and seek counsel from graduate student TAs who are scarcely ahead of them either in course of study or years of age. The disheartening result is that an unacceptable number of students graduate from this esteemed university without ever benefiting from the supreme tutelage of the academic luminaries whose reputations lured us here. Stanford undergraduates by the thousand pay for high-powered professors only to get medium-powered graduate students.

My eyes opened too late to the scam to which the Farm Almanac failed to alert me. I came to Stanford University expecting to be instructed in most subjects by the very leaders of the field in manageably small scholastic settings. When this did not seem to be the case at the outset of my Stanford career, I was unconcerned; I presumed that the large classes and pronounced paucity of instructors with the letters patent of supreme erudition behind their names were part of being a freshman taking introductory classes... the glossy catalogue had warned me that introductory classes were large and augmented by sections led by lecturers and graduate students. I was content to bide my time until I had advanced in my course of study and begun to participate in research projects. After all, "Stanford Today" touts the "ease with which undergraduates may arrange to work with faculty" and boasts that 86% of Stanford classes have 30 or fewer students. In my first three years here, I had two classes with fewer than 30 classmates (excluding Freshman English and foreign languages, both of which are almost never taught by professors or persons holding a doctorate). Two classes in

three years leaves me wondering where the rest of that 86% is hiding. In all of the classes that I have taken at Stanford that are nominally taught by professors (and the vast majority of classes are nominally — and only nominally — taught by professors), in only one has the professor graded the tests and papers I have submitted, much less taken the time to learn my name or interest him- or herself in my education. At Stanford, that is not really the professor's job; research is the avocation of choice and merit.

So, surely, the reader presumes, if I had taken the time or had the motivation to participate in research in a professor's laboratory, I would have enjoyed all the collegial interaction with academic superstardom my heart could desire. After all, the glossy bulletin claims that "[e]ach year, more than 800 students work individually with a faculty member of their choice..." But that is not exactly true; students are always welcome to work under a faculty member of their choice — working with one is something else, entirely. There is a stark difference. I worked on research projects under a professor in my department for the last two years without ever meeting him, much less interacting with him. It is in the nature of the class-naming system at our university. A professor oversees all the independent research projects that are executed by his graduate students, so when a graduate student needs an undergraduate research assistant, the lucky undergraduate signs up for independent study "taught" by the professor. It is a wonderful system, really: the professor and graduate student both get free research assistance, the University can boast extraordinary

rates of student-professor interaction, and the professor needs do nothing at all.

But what about the honors thesis, that independent work that sets a student apart in this competitive academy? Certainly there, if nowhere else, a student can define a question of interest to himself and enjoy the oversight and advice of an interested and highly experienced scholar — particularly at Stanford, which is so replete with them! Not necessarily. There are

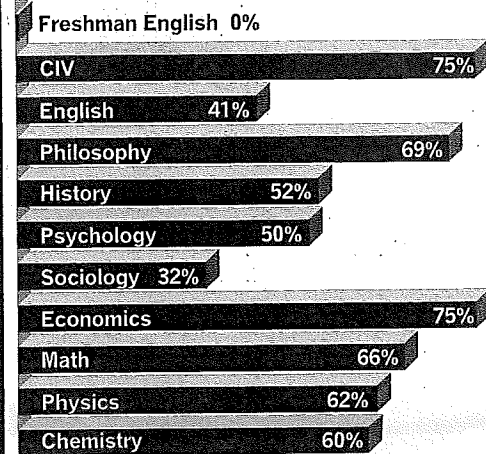


Ryan Bounds

I worked on research projects under a professor in my department for the last two years without ever meeting him, much less interacting with him.

Who's Teaching What?

Percentage of student's contact hours in a course with professors:



SOURCE: Campus Report, Report of the Committee on Evaluation of Teaching, 1975-6

27 honors students in my department, which boasts about 270 majors and 32 faculty members overall. At the first meeting of the honors students' seminar (yes, at Stanford, 27 students is a seminar), the professor pragmatically counseled all students still looking for a faculty member who might advise them in their thesis to abandon the presumption that they could hope for success in approaching a faculty member with an idea for research that held personal interest. The professor advised, instead, that the students approach a professor who happened to be doing work in a field that looked interesting and ask for research suggestions (i.e., to request the privilege of conducting research on a question that the potential advisor wanted answered, anyway). It was the answer that I had been seeking for the first three years of my undergraduate education at Stanford: if you want to interact seriously with a professor, merely offer to do his research for him and hope that he believes you worth his while. Being an honors student usually satisfies the latter, but not always. A couple of professors I approached in this fashion failed to return messages within even two weeks.

Anecdotal evidence only goes so far, however, in revealing the enormity of the fraudulent \$100,000 education. Fortunately, the Registrar's office polls graduating seniors every second year to sample student sentiment on the quality of their undergraduate education. The most recently tabulated results show that the University and its faculty are failing more than just a few errant students. The 1990 survey responses reveal that 44% of graduating seniors did not have "any sustained, small-group or individual contact with a Stanford faculty member" — nearly half of the students walking out the door with a diploma had never had sustained interaction (not even in a small group) with a single, solitary faculty member. An interesting concept, convenient for research purposes: an educational institution where the educators need not associate with the students. Even more amazing, however, is that some of the students who answered in the affirmative to this question made comments like the following: "Yes, but the professor was very busy, and I often felt he had no time for me." 55% of the respondents in that survey could not identify three faculty members who could write them informed letters of recommendation, and 10% could not think of one. Such disappointing statistics show no trend to improvement: in 1992, one third of responding seniors rated the opportunities to work with fac-

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COMMENTARY

Will the 'F' Start Grade Deflation?

It was in the first few months of 1942 that the famous American general, Douglas MacArthur, upon being forced to abandon the Philippines to the forces of imperial Japan, uttered his famous promise: "I shall return." And roughly two

By Eric Jackson

and one-half years later, he did. But in his absence, the hapless nation, as well as the American troops stationed there, was at the mercy of the Axis forces. It was only upon the return of MacArthur, and the advent of an overwhelming U.S. invasion force, that order was restored to the Philippines.

Some half a century later, history is repeating itself, but in a most unusual way. The locale is not the Philippines, but rather Stanford University, and the improbable hero is not MacArthur, but instead the letter 'F' grade. Lunacy, you assert? Perhaps, but the parallels are striking, especially when you consider the actions of the faculty senate last June.

By an overwhelming vote of 38 to 3, the body approved a new grading policy which contained, among other things, a measure to reinstate the long-vanquished notation of "not passed" on a student's transcript. Why did the vast majority of the faculty representatives move to bring back the dreaded failing letter grade? After all, one could argue that the University had survived just fine in the two decades since the 'F' was discarded. But, amid a growing clamor of "grade inflation," the senate passed what it thought to be a needed measure to put a halt to the skyrocketing average letter grade.

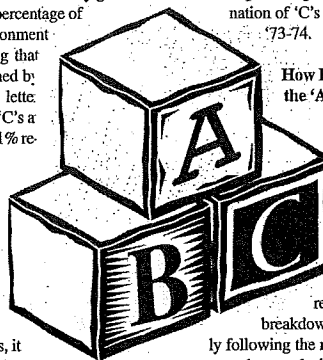
The skeptical reader might, at this point, be tempted to condemn the faculty senate's actions outright if he or she did not place much credence into the existence of grade inflation at Stanford University. And while it is admittedly extremely difficult to prove one way or the other that high grades are eas-

ier to obtain at Stanford than they used to be, a simple perusal of the percentage of letter grades assigned over the past several decades indicates a pervasive upwards spiral in the median recorded grade.

Grade Inflation in the Early Seventies — and Beyond

Let us stop to consider the letter grade distribution for the 1968-69 school year, which appears to be a fairly good indicator of the breakdown in the percentage of grades assigned prior to the abandonment of the 'D' and 'F' grades. During that school year, the letter 'A' was earned by 35% of all students receiving letter grades; 'B's' were earned by 42%, 'C's' a 19%, and 'D's' and 'F's' by 4% and 1% respectively.

These numbers stand in stark contrast to those of the 1973-74 school year, which came just two years after the vote to remove the bottom two grades from the transcript. (This is not to say that a student could no longer fail a class and not receive credit; if he or she scored below a 'C' in a class, it simply would not be recorded on the transcript or effect the student's grade point average.) In '73-74, 'A's' constituted a daunting 55% of all letter grades assigned, while 'B's' were 37%, and 'C's' were down to 8%. Clearly, the dropping of the 'D' and 'F' grades lead to a substantial hike in the number of 'A's' given out, so much so that the mean grade shifted from a 'B' to an 'A' in just five academic years.



How Bringing Back the 'C' and 'D' Affected the 'A'

Having already seen that with the expulsion of the two lowest letter grades, the percentage of 'A's' given out increased dramatically while the percentage of 'B's' and 'C's' both declined, it is tempting to speculate as to whether or not the reintroduction of the deposited grades would have the reverse effect. Perhaps by examining the

breakdown of letter grades for the year immediately following the restoration of the 'D' grade, 1975-76, we can reach a conclusion. For the year in question, 'A's' declined to 51%, 'B's' and 'C's' rose slightly to 38% and 10%, respectively, and 'D' marked its return with a measly 1%.

This raises an interesting point: though the 'D' grade checked in with only 1%, somehow its mere appearance coincided with a drop of 4% for the 'A'. Any attempt to explain this cannot be conclusively proven or disproved by the evidence at hand, but it does suggest a simple enough theory. Professors, like the vast majority of human beings, are loathe to hand out the most severe punishment available to them, and thus they're reluctant to award the lowest letter grade available to students. As the 1973-74 data indicate, with the 'D' and 'F' grades no longer a real option, and 'C' the lowest grade available, the professors reduced the number of 'C's' given out to their students. This, in turn, had the probable effect of pushing all the marginal 'C' students (those who would have earned a 'C' on the old standards) into the 'B' category, and the marginal 'B' students into the 'A' category, while the number of deserving 'A' students remained the same.

In other words, many individuals got bumped up a letter grade, except for those already at 'A' level, simply because they had nowhere else to go. The net effect of this upward shift in the average letter grades awarded has been to devalue that which was previously the most sought after, and relatively difficult to obtain, letter grade, the 'A'.

Conclusions

The problem with this pervasive ratcheting-up in grades is that the value of an 'A' is derived just as value is derived from any commodity: from its scarcity. If more 'A's' are awarded, they lose the value that they had previously held. Not only does a devalued 'A' provide an inferior reward for the student who works long hours and excels in his/her studies, but it also serves to stigmatize the 'B' grade, which had—prior to the dropping of 'F'—been a respectable dividend for one's efforts.

Whether or not one agrees with the nature and impact of grade inflation, the fact is that the faculty senate felt it to be a most serious issue, and acted accordingly. And it is because they felt this way that the 'F' will be returning at the beginning of the next academic year.

What impact should the return of the 'F' have on grades? If the previous trends hold true, very few 'F's' will be given out, but the real effects will be felt elsewhere: the amount of 'D's' will increase slightly, and there should be a noticeable increase in the amount of 'B's' and—to a lesser extent—'C's'. In general, the grades awarded to students with marginal scores will be knocked down a notch. The number of 'A's' will be slightly reduced, helping to restore some of the grade's former luster.

As far as how profound an effect this will have in practice as opposed to theory, it cannot be easily determined. Making sure that the use of the 'F' is not merely a perfunctory tool but a valid option for professors is not going to be easy: some proposals of enforcement are given in the Winds of Freedom recommendations on page 14 or 15. Nevertheless, one thing is sure: just as MacArthur returned with much ceremony to the Philippines five decades ago, so returns the 'F' to Stanford.

◆ Bounds

continued from page 6

ulty members as fair or poor (these same students were assured before they applied that it was easy and rewarding to work independently with a selected faculty member, just as we were). 71% of respondents in the 1992 survey said that they saw their major advisor infrequently.

With whom, if not the faculty, are Stanford students interacting for their overpriced academic instruction and guidance? Graduate students acting as teaching assistants are the real teachers on this campus. Nevertheless, outrageously, no central administrative body seems to be able to indicate to what degree TAs are used in teaching classes. The office of the Dean of Humanities and Sciences, which pays TAs, gives the funds for their remuneration to the various academic departments, based only on the enrollment statistics for their classes. Decisions on the extent of the responsibilities and participation of TAs in actual teaching, grading, and advising are left to the faculty members of the department. The Provost's Office, in charge of overseeing the entirety of undergraduate education, has no empirical figures reflecting the reliance on TAs in undergraduate teaching. Paddy McGowan, Director of Research for the Registrar's Office, admitted that "no one knows" to what degree TAs are used. This is why the alluring publications sent to prospective applicants to Stanford are so misleading: no one really knows just how little teaching is indeed done by professors. It is of little consolation that we have been duped out of ignorance rather than mischief.

If the renowned Stanford faculty members are not teaching, working with, or advising their students, what are they doing? They are attending to their research, of course. It is research that gets them published; it is publication that gets them the respect of their peers; it is the respect of their peers that gets them tenure, promotions, and pay raises. Teaching undergraduates gets them nothing but time-consuming requests for graduate school recommendations. Former University President Donald Kennedy called for a reform of such destructively skewed disincentives for teaching at least three years ago, but the inclination to eschew teaching for research remains. The institution of prizes for excellence in undergraduate teaching, which has happened pursuant to generous grants on several occasions in the last decade (e.g. the Bing Fellowship and the Hoagland Prize), seem to have had little ef-

fect, at least from a student's perspective. There is still no quantified degree to which excellence in teaching is considered in granting tenure and promotions in the School of Humanities and Sciences, so it seems reasonable to presume that research and publication yet hold sway in such decisions and that professors will continue to be those who produce arcane articles rather than those who teach interesting classes.

This must change, which requires that the system of incentives for professors transforms fundamentally. Alas, such an alteration must be effected by the very body that seems most enamored of the currently defunct system: the faculty. The irony is, however, that many, if not most, of the members of the Stanford faculty would not object to a relaxation of the pressure to publish and publish copiously, for it would allow them to perform more thorough and creative research as well as experience the joys of molding eager minds. And the pressure to publish could be rather painlessly alleviated, merely by narrowing the consideration of publications and emphasizing student and peer teaching evaluations in deciding on promotion and tenure. Why will this probably not happen soon? Because the faculty has a great deal at stake in risking the diminution of its reputation by diverging from (even in a display of contempt) the merit-standards used in the rest of the academic realm. We can only hope that the Stanford faculty will realize in the not-too-distant future that leadership in academia is more than mere superlative conformity.

Undergraduate students of Stanford University who have come here in hopes of working with and learning from renowned scholars who stand at the very forefront of knowledge have been, by and large, bamboozled. Their dreams of interacting with celebrated academics has been reduced to hopes that it might require less than a week to track down their advisors and that the lines outside of the professors' doors during once-monthly office-hours might not be too dreadfully long. It does not have to be this way. Demand that the faculty institute new standards of teaching and new considerations for awarding tenure and promotion to young professors that might just contribute to their wanting to engage in the zenith of scholarly work: teaching students.

Ryan Bounds is a senior studying psychology. He is an opinions editor of *The Stanford Review*.

The Stanford Review

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Founded MCMLXXXVII
Norm Book
Peter Thiel



EDITORIAL

Editorials represent the opinions of the editorial board on a topic relevant to the Stanford community. The board consists of the editor-in-chief, opinion editor, and three editorial writers, with additional input from other members of *The Stanford Review*.

The Screaming of the Lambs?

For a while, there, we were sure that Stanford University's Office of Admissions was in an irreversible coma, and the hushed debate in the *Review* offices last week centered predominantly around the propriety of euthanasia in cases where no living will has been drawn up.

However, last week the *cognoscenti* in the admissions office actually showed signs of life for the first time in five years: they announced the formation of a committee, to be chaired by Associate Director of Admissions John Reider and Physics Professor Doug Osheroff, that will explore our favorite issue: undergraduate admissions. Even more heartening than that is the fact that the Admissions Office has apparently taken seriously the *Review*'s recommendations on how to go about getting the best and brightest students in the country to come here. The committee says that it will "look specifically at getting top faculty involved in the recruitment of high school candidates, and will consider instituting an early decision plan."

In our October 3 issue, we ran an editorial called "The Silence of the Lambs" which offered the following suggestions (which have been pushed before in these pages by *Review* editor Aman Verjee):

"The University can also encourage faculty to help recruit the best students in their fields, allow for early admission; beef up financial aid, and follow Harvard's lead by accepting a Common Application."

Well, two out of four ain't bad, but it ain't good enough, either. In our editorial, we likened the admissions staff to lambs for the slaughter, and criticized their complacency in the face of declining yield rates and SAT scores. The new committee may be evidence that the University is no longer meekly accepting its fate, but it shouldn't stop halfway in its deliberations. It should also consider the following steps: adopting a Common Application; increasing financial aid with money that currently goes to frivolous projects (see the front page story); start interviewing applicants like other top schools do in order to create an interactive admissions and recruitment process; and increase the size of our overburdened admissions office (the Office of Admissions now has 11 people, down from 16 a couple of years ago. Harvard has 40 people, 21 of whom work on admissions alone).

These changes will help reverse the ten-year trend in yield rates, which have gone from 63 percent in the mid-1980s to 54 percent today. This in turn will reverse the declining trend in SAT scores and high-school GPAs, and hopefully return us to Number One.

The Beat Goes On

For those of you who haven't been paying attention for the last fifteen or so years, we got a consummate lesson in political correctness here this week. Beat poet and admitted pedophile Allen Ginsberg unloaded a lot of his junk on us for \$1 million or more, and no one on the faculty uttered a sound. Yet, when the Reagan Foundation offered to put a \$100 million library and research facility on campus for free — that's right, for free! — so many faculty members protested that you couldn't have beaten them all off with a stick (and don't think we didn't try).

That says something about what is and what is not acceptable here at Stanford. Faculty protested Reagan's free market ideology, but not Ginsberg's pedophilia. They protested Reagan's affiliation with the Republican party, but not Ginsberg's affiliation with NAMBLA. We demand an explanation from the faculty as to why Ginsberg is preferable to Reagan — in fact, we'll gladly offer column space to any professor bold enough to take up the challenge.

There is another, more narrow issue here as well. Frankly, we at the *Review* don't much care what Ginsberg does with his private life, nor do we care to judge his political beliefs or organizational affiliations: when it comes to buying one's wares, we will support purchasing anything that is of high quality (though we won't endorse the author's lifestyle). However, the works in question contain some of the worst claptrap we have ever had the mispleasure of reading. Stream-of-consciousness is fine as a tool for teaching novice writers to put thoughts to pen and paper, but it doesn't constitute an art-form any more than does throwing paint randomly at a wall. Surely, there are better ways to spend a million dollars than this.



John Sununu
Chief of Staff for George Bush

Tuesday, October 25th
8:00 pm

Memorial Auditorium

Tickets go on sale in White Plaza Monday and Tuesday, October 24th and 25th, from 11:30 to 3:30.

Tickets are \$7.50 if you got a refund from the Speaker's Bureau, and free otherwise.

"MORAL VIRTUE AND NATURAL LAW"

Dr. Raymond Dennehy

Mortimer Fleishhacker Chair of Philosophy
University of San Francisco

Dr. Dennehy, one of the founders of the Ignatius Institute, will be discussing the contemporary importance of virtue in America today, as well as how we can lead virtuous lives in modern society. He will be using William Bennett's best-selling *Book of Virtues* to aid his presentation.

TUESDAY, OCTOBER 25TH

TRESIDDER: OAK LOUNGE EAST

7:00 - 8:30 PM

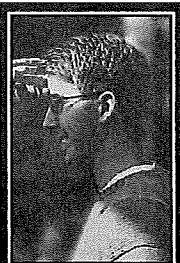
Sponsored in part by Stanford Students for Life
and Students for a Traditional Sexual Ethic

COMMENTARY

Reasonable Doubts?

The winds of freedom — freedom from common sense — are blowing again at Stanford University, the only novelty being that, this time, the University is not leading the academic world in its pursuit of P.C. frillery. Last week, the Monday edition of the "Daily" reported that concerned student-leaders and administrators are uniting in a plaintive demand for a relaxation of the burden of proof required in prosecuting alleged violations of the University's Fundamental Standard, especially in cases of sexual assault. The current burden of proof in University judicial proceedings, the traditional criminal standard of "beyond a reasonable doubt," is apparently the strictest of its kind in American higher education and just too onerous to be countenanced by a community dedicated to eradicating sexual assault.

In support of their demands for a more "intermediate" burden of proof, administrators and activists working against sexual assault have vouchsafed a panoply of arguments, but none of them are powerful enough to convince any battle-scarred P.C. warrior that relinquish-



Ryan Bounds

ing a shred of protection from inappropriate and potentially damaging University sanctions would prove a remedy to sexual assault on campus. But the discontented contend that a strict burden of proof is inapposite in a community situation in which there is no potential loss of liberty or fundamental rights.

This assertion fails utterly to provide adequate justification for abandoning a strict burden of proof whose only purpose is to protect every member of this community from punishment for behavior in which he did not engage. Emasculating our burden of proof in the interest of eradicating all hints of antisocial behavior in our community is presumptively invalid, not because students entertain some innate fidelity to "beyond a reasonable doubt"

(a standard that is not used in most civil cases in the U.S.), but simply because they did not come to Stanford University to be parented or morally reared. Although it is understandable, even advisable, in paternalistic situations to place a greater emphasis on punishing misbehavior than on respecting the integrity of its suspected perpetrator, such a strategy is wholly inappropriate, insulting, and dangerous in a community whose members are socially and morally competent and expected to assume lifelong responsibility for their actions. Unlike

our parents' sending us to bed without dinner because they are "fairly certain" we have committed some misdeed, there is no forgetting in the morning the University's branding us for running afoul of our responsibility to

[The discontents] complain that "beyond a reasonable doubt" is an unbearable onus in attempting to prosecute rape cases, notorious for their lack of disinterested witnesses and physical evidence. Indeed, the burden is great when they have not the evidence to meet it!

the Stanford Community

Assume that one student is spuriously accused of raping another, and that the adminis-

tration imposes sanctions after finding that the accusation carries the burden of a preponderance of the [typically scant] evidence. The judicial committee is not going to give a light punishment

to a student whom it takes for a rapist, the aim of which might be to instruct him of his moral obligation. No, the punishments that the administration reserves for persons believed to be of such wanton disregard for their fellow students are severe and indelibly stigmatizing; they range from freezing the student's registration or transcript to outright expulsion. Are these punishments that a reasonable Stanford student should be willing to suffer, whenever an accusation — however unfounded — bears the preponderance of available evidence? No. When the University plays sheriff, judge, and jury, it must act under the same constraints; it must be as certain of guilt as institutionally possible before meting out punishments that inevitably endure beyond the period of its guardianship.

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Scoundrel Time

The word "politics" comes from the Greek *poly*, meaning *many*, and the English *tics*, meaning *blood-sucking parasites*. So it's no surprise that we are now stuck with an administration in Washington, D.C., the likes of which hasn't

passed through the large intestine of the American body politic since FDR was wheeled down the disabled access ramp to Hell, and we need to send it a message: wipe those gnostic smirks from your face and screw off.

In the Eastern bloc now, they have a word for people who aspire to be in government, and in Rumania they know what to do with them. But since physically assaulting government officials would violate ASPCA guidelines, it may be wiser to merely throw Democrats — those spawn of the President, incubi at the public teat, bakers of wind, bottom-feeders off the enviousness of the middle class like the squamous muck-dwelling ditch carp that they are — out of office in the upcoming elections.

So, I devote my entire column to discrediting the Clintonistas for the envy-coddling tax lice and fuzzy-minded one-worlders that they are, in the most effective way I know how: by quoting them directly.

Boy Clinton

I dealt thoroughly with Port-Au-Prince William and his prevarications on page 2, so let me just add one more quote, from former Polish dictator Wojciech Jaruzelski: "Actually, in Clinton's program, I see elements I like a lot."

Hillary Clinton

The Wicked Witch of the West Wing is, by all accounts, a bossy little snoot who beggars achievement, piddles on accomplishment and applauds herself for her own munificence with other people's money. I know an exterminator who wants her to pose on the side of his truck. That she is the brains behind this Administration means only that in a roomful of loons, she *still* stands out.

Here's an excerpt from a speech she made to the American Bar Association in 1992: "As women and as lawyers, we must never again shy away from raising our voices against sexual harassment. All women who care about equal opportunity — about integrity and morality in the workplace — are in Anita Hill's debt."

And here's a speech she made to a reporter when asked to comment on Paula Jones allegations of sexual harassment against President Clinton: "No comment! I said 'No comment!'"

Take heart, HRC, in these times of trouble, and console yourself with this piece of advice: tomorrow is the next day of the rest of the month.

Vince Foster

Actually, Vince isn't so bad: there's no dishonor in becoming the good kind of Democrat. Besides, he has provided the NRA with its latest slogan: "If Vince Foster had had a gun, he wouldn't be dead right now."

Also, Foster gives me an idea as to what to do with Boy Clinton if he wins in 1996. After all, we conservatives not only support the Second Amendment, but we *own* guns, too. We can take the liberals: all they have is Carl Rowan, and he had a doped-



Aman Verjee

Points of Light

"You can't maintain a civilization with 12-year-olds having babies, 15-year-olds killing each other and 18-year-olds getting diplomas they can't read. The welfare state has failed because it subjects [people] to rules that are anti-family, anti-work, anti-property and anti-opportunity. The challenge of our generation is to replace the welfare state."

Representative Newt Gingrich (R-Ga.)

"Spend the night with Lucie and have no regrets in the morning (because you've done it all — eat, drink, study, and socialize!)"

Advertisement for (Lucie) Stern Hall Late Night Food Service

"My feeling is that these institutions can't last long. Too many appointments are made on the basis of political criteria — ethnicity, race, and gender — rather than the proper academic criteria. I don't think this will lead to any good."

Alumnus and Nobel Prize winner John Harsanyi

"Why is the press America's showcase for freedom? Because just about everything else has been regulated."

Cullen Hightower

"A culture in which citizens don't want to take control of their lives is very responsive to leaders who foster dependency on the government."

Charles Sykes

"A hundred years ago, women were fighting for the right to learn math, science, Latin — to be educated like men; today, many women are content to get their feelings heard, their personal problems aired, their instincts and intuition respected."

Christina Hoff Sommers

"The law is fair to all. In its fairness for equality, it forbids the rich as well as the poor to beg in the streets and to steal bread."

Anatole France

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A Look at Open Democratic Seats in Congress Shows How GOP Could Take Control of the Senate

The following piece is reprinted from the *Wall Street Journal*. It appeared originally on Tuesday, October 11, 1994. Gerald F. Sieb is a regular columnist for the *Wall Street Journal* and writes frequently on politics and public policy.

The words roll smoothly off the pundits' tongues these days: Republicans might regain control of the Senate in this fall's elections. They may even win control of the House for the first time in 40 years.

But how, exactly? Which seats will they have to take over to effect his political earthquake?

Those are the nitty-gritty details that rarely creep into discussions leading up to the Nov. 8 election. But they are precisely the details that will count the most on election night.

Upon closer examination of this year's congressional voting, it's fairly easy to draw a roadmap by which Republicans could win the seven additional seats they need to reach the 218 needed to take control there.

"You can count where they could get into the 210 range" in House seats, says congressional analyst Charles Cook. "At that point, you need a wave to get that little extra push." The question, then, is exactly how big the Republican wave is.

Of course, the bidding on all fronts could yet change dramatically if an international crisis over Iraq shakes up the country's mood and prompts a re-evaluation of President Clinton's leadership. For now, Mr. Cook is predicting Republicans will pick up five to seven Senate seats, meaning they could take control, and that they'll gain 27 to 32 House, meaning Democrats would stay in charge there.

If Republicans are to go over the top in either chamber when the votes are counted next month, here's a look at how they would have to do it:

Senate

There are 35 Senate seats up for election this year, 22 of them now held by Democrats and 13 held by Republicans. Nine of those seats are open—that is, the senators who hold the seats are retiring, opening the way for a newcomer.

The most likely formula for a Senate switch begins with a GOP sweep of the six open Senate seats now held by Democrats: Arizona (Dennis DeConcini retiring), Maine (George Mitchell retiring), Ohio (Howard Metzenbaum retiring), Michigan (Donald Riegle retiring), Oklahoma (David Boren retiring) and Tennessee (Harlan Mathew departing after having held Vice President Gore's old seat only briefly).

It is, in fact, the departure of so many of these Democrats that has opened the chamber to a possible change of power. Republicans' chances of winning most of those seats look pretty good right now. GOP candidates are clearly leading in Arizona, Maine, and Ohio, appear to be even in Michigan and close in Oklahoma. In Tennessee, the Democrat trying to win the open seat, Rep. Jim Cooper, had been leading, but he now looks vulnerable to Republican Fred Thompson.

But even running the table on these open seats won't be

enough for the Republicans. Three more things must happen.

First, they must hold onto the three open seats now held by Republicans, in Minnesota (David Durenberger), Wyoming (Malcolm Wallop retiring) and Missouri (John Danforth retiring).

Second, Republicans must perfect two sitting GOP senators who appear to be vulnerable: Montana's Conrad Burns and Delaware's William Roth.

Third, even if they do all that, Republicans still must defeat at least one sitting Democratic senator.

But Republicans are confident they can vanquish at least one of these eight Democratic senators: Harris Wofford of Pennsylvania, Charles Robb of Virginia, Edward Kennedy of Massachusetts, Jeff Bingaman of New Mexico, Dianne Feinstein of California, Jim Sasser of Tennessee, Frank Lautenberg of New Jersey or Robert Kerrey of Nebraska.

In reality, because the odds are against Republicans sweeping all the open seats and protecting all their own vulnerable incumbents, the GOP probably would have to pick off two or more of those vulnerable Democrats.

House

In the House, all 435 seats are up for election this year. Because of the magnitude of changeover needed to produce a Republican majority, it's hard to pinpoint which seats the Republicans need to win.

Democratic strategists estimate that between 150 and 175 seats are "in play," meaning they could go to the Democratic or Republican candidate.

The number to keep in mind is 52. That's the number of open House seats, meaning the lawmaker occupying the seat is moving on. Of those 52 open seats, 31 now are held by Democrats.

It is among these 31 open seats that Republicans are likely to make the biggest gains. Not only does the departure of

an established Democrat make such seats tough to defend in a hostile climate, but many of those seats are in districts that were made less advantageous for Democrats in the redistricting that followed the 1990 census. "The playing field has been leveled through redistricting," says David Dixon, political director at the Democratic Congressional Campaign Committee.

Even if Republicans sweep all of those open seats—a highly implausible feat—they still would need to take over nine more seats now held by sitting Democratic incumbents.

Unseating incumbents isn't easy because, no matter how unpopular Congress may be, sitting members tend to have more money and be better organized than a challenger.

But there are three areas in which Republicans contend their strength—or Democrats' weakness—gives them the best chance of knocking off incumbents.

The first is in the South, where a Republican tide has been rising in presidential elections for a generation and seems to be catching up in congressional voting. The second is Ohio, a traditional swing state where voters seem to be lining up more with Republicans and putting several of its 10 Democratic incumbents at risk. Finally, there is Washington state, where Democrats' poor showing in last month's primary leads analysts to think that some of the eight Democratic incumbents, including House Speaker Thomas Foley, are at risk.

Of course, winning control of the House would require Republicans to protect their own sitting House members who are vulnerable to being knocked off. In year in which voters are angry at incumbents in general, that won't be easy.

Consider two bellwether races worth watching. In Connecticut, Rep. Gary Franks, the only black

Republican in Congress, is struggling to retain his seat in a district that is 88% white. He won in 1992 with less than half the vote, because a third party candidate siphoned off 22% of the vote. Democrats say state Sen. Jim Maloney is mounting a good challenge.

The Republican incumbent traveling the rockiest road to re-election may be California's Ken Calvert. He is a freshman legislator who barely won in 1992 and who is facing a political image problem: Police found him in 1993 with a prostitute in his car. He wasn't charged with any offense.

—Gerald F. Sieb

A Roadmap for Republicans

Here's what the Republicans have to do to gain the seven seats they need to take control of the Senate:

1. Take at least four of the six open seats now held by Democrats.

- Arizona: Dennis DeConcini is retiring
- Maine: George Mitchell is retiring
- Michigan: Donald Riegle is retiring
- Ohio: Howard Metzenbaum is retiring
- Oklahoma: David Boren is retiring
- Tennessee: Harlan Matthews is retiring

2. Hold all three Republican open seats.

- Minnesota: Dave Durenberger is retiring
- Missouri: John Danforth is retiring
- Wyoming: Malcolm Wallop is retiring

3. Hold both of the seats where Republican incumbents are struggling.

- Montana: Conrad Burns is in trouble
- Delaware: William Roth is in trouble

4. Win at least three of the seats where Democratic incumbents are struggling.

- Pennsylvania: Harris Wofford
- Massachusetts: Edward Kennedy
- New Mexico: Jeff Bingaman
- California: Dianne Feinstein
- New Jersey: Frank Lautenberg
- Tennessee: Jim Sasser
- Nebraska: Bob Kerrey

◆ Bounds

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But before we refuse an attenuation of our rigorous burden of proof for fear of wrongfully levied sanctions, we should indicate the flaws that riddle the complaints of the discontented administrators and activists, whose minds are obviously transfixed by the tragedy of assault and rape. They complain that "beyond a reasonable doubt" is an unbearable onus in attempting to prosecute rape cases, notorious for their lack of disinterested witnesses and physical evidence. Indeed, the burden is great when they have not the evidence to meet it! Naturally, all crimes in all situations would be easier to prosecute, if only one did not have to prove quite as much...district attorneys would certainly throw a lot more murderers behind bars if it weren't for that pesky due process. But there is really nothing inherently wrong with the University failing to punish an alleged rapist—regardless his guilt—in the absence of adequate certainty; there is nothing that the University can do to objectively ensure that the rapist does not strike again. Only the legal system can do that, and if it lacks the certainty to do so, it is not necessarily up to the University to stick it to the suspect, anyway, just in case. Expelling students is probably not going to contribute a great deal toward a rape victim's recovery; there is no moral imperative to risk egregious error in doing so.

But the concerned parties contend that there is a real cost in the University's failure to prosecute sexual assaults as violations of the Fundamental Standard: the improbability of seeing sanctions levied against the alleged aggressor deters victims from filing charges. The probability of vengeance, however, is truly not what should motivate victims to seek justice. And, in all fairness, it probably does not. Instead, the fear of stigmatization (however justified, and at Stanford I would argue not very) might be a better source of a victim's reticence, and the link between fear of stigmatization and the leniency of a burden of proof is not at all clear. Those who concern themselves with all of the unreported rape on campus would do far better to convince potential victims that coming forward with truthful and balanced accounts of violation would cost them little but could contribute to recovery as well as justice.

Finally, our valiant combatants against sexual assault bemoan the likelihood that perpetrators of such horrifying conduct will go unapproached, blissfully ignorant of the consequences that must accompany violence. They seem to fear that the University's failure to impose sanctions for lack of evidence in reasonably clear instances of assault will leave the student somehow unaware that assault is bad. Aside from the fact that the University administration ought to restrain itself from usurping the role of omnipotent moral authority, it is an affront to every Stanford student, male and female, to presume that such a basic lesson has gone unapprehended out of a mere lack of exposure.

Again, however, nothing stops the University from punishing assaultive behavior when it is certain that a student has perpetrated it (even though we can expect that the law will also do so, much more effectively); we must nevertheless remain vigilant against attempts to allow the University to punish in instances of merely suspected misbehavior.

The failure of these arguments must bring us to conclude that it is not the stringency of the University's burden of proof that induces, allows, or encourages sexual assault, risible contentions to the contrary notwithstanding. The University and its administration exist to allow an atmosphere in which students can work with and learn from experienced scholars and from each other, not to act as an invasive adjunct to the system of justice promulgated by the larger community in which we live. It is an ominous and ill-advised step to afford the institution, itself, the prerogatives of paternalism, to allow it to punish us whenever there is a perceived utility in doing so. And in response to inadequately supported accusations of sexual assault, there is little utility, indeed. The complexities and difficulties that arise in fighting rape and violence in our community do not stem from the administration's inability to prosecute us due to inadequate evidence, and the solution to these complexities and difficulties is hardly to make it easier to do just that.

Ryan Bounds is a senior studying psychology. He is an opinions editor of *The Stanford Review*.

COMMENTARY

Lo! A Pestilence Stalks Us

A danger lurks on campus... insidious and elusive, yet always near. We cannot easily discern this specter, but each of us carries a little piece of it around with us wherever we go, as innocently as cold germs on our hands. Unlike recognized biological contaminants, however, this danger spreads without suffering the stigma that its enormity justifies; indeed, most of us brandish our strips of this specter's sheet as proudly and righteously as any national flag.

But what IS this that is so inimical to our community, to our dream of peaceful, liberated, and self-fulfilling coexistence down on the Farm? Let us acknowledge it for what it is, denounce it, extirpate it! But first, let us brace ourselves, for surely we are not prepared to see this vaunted wretch in its true light — we will want to turn away, but, in matters of community, resolute we must be. Very well, then. Topple the pedestal, lift the curtain, turn the brilliant light of realization on the idol of Sensitivity!

Yes, fearless readers, this is the phantom that threatens us and our community. More than grapes, more than vandalism, more even than the ever feared budget cuts, Sensitivity threatens to corrupt our scholastic experience and tear our student community asunder. Indeed, it has already begun its horrendous task. Anyone who still doubts (and there will be many — false consciousness, as any good Marxist will asseverate, is difficult to abandon) needs only consider the last 6 months in the life of Stanford.

Consider a recent example of Sensitivity casting its evil spell: a reactionary call by a [wisely!] unidentified student for us to boycott Political Science Professor Stephen Krasner's class in response to his allegedly "anti-Asian agenda." Krasner revealed his patently anti-Asian agenda in a shocking observation last spring that Jews and Asians are,

relative to the U.S. generally, overrepresented in the student body of Stanford!

A member of our community read his comments to this effect and saw an inflammatory expression of racism, a prejudice that is simply and objectively not manifest in Krasner's comments. Despite the semantic argument, which is made elsewhere, Krasner, himself, is Jewish, and persons of Asian descent, who constitute around a quarter of the Stanford student body, certainly do not constitute nearly such a proportion of U.S. residents. So what, most of us certainly ask, is the problem? The problem is that this student, fancying himself more perspicacious than the rest of us, churned out his vacuous flyers, disrupted

Krasner's class, and tried to get all of us in a dither, merely because his head was hidden in the hoary mists of Sensitivity: he read of Krasner's observation that Asians are overrepresented, connected this with the backlash against the stereotypically "nerdy" Asian (of which he is apparently acutely sensitive), and cried "foul" in the loudest shriek he could muster. The result of his Sensitivity, finely tuned by years of multiculturalism and jealous racial identification? Embarrassment and wasted paper (white laser-printer bond — the ecologically worst kind), but Sensitivity prevails again.

Another instance of Sensitivity working its divisive magic: a group of pathetically intoxicated athletes vandalize a statue celebrating "gay pride." No one is certain why they did it; we can bet that they are not going to hold a news conference within 200 miles of here to declare that they were motivated by their deep-seated hatred of homosexuals and thus put all our doubts to rest. But the gay members of our community feel safe here (and well they should) and thus liberated to discuss their Sensitivity to the vandalism of an artwork that represents some of their closely held values (thank goodness we still have such a community). We hear of sensations of personal violation and outrage and of suspicions that male athletes and fraternity

members are bigots whose socialization patterns induce this sort of terrorism. Perhaps all of this is true, but the castigation of athletes and frat boys for flagrantly anti-homosexual prejudices is predicated on a motivation for this vandalism that has not been articulated. Results? The vandals might face hate-crime charges, fraternity members — regardless of their individually demonstrated prejudices (or, for that matter, sexual orientation) — face mandatory Sensitivity training, the Lesbian, Gay, and Bisexual Community Center receives \$10,000 from funds the university ostensibly does not have, and Sensitivity insinuates itself a little further into the fissures of our community.

Another headline-grabbing example of Sensitivity's endemic, inimical allure: members of a Flicks audience boo a showing of the caustic, hyper-politicized documentary film "No Grapes". Contemporaneously, the university administration considers accepting Cecilia Burciaga's proposal that her position be terminated in the budget-cutting process. Students, most of them Chicano, decry the audience's rude outbursts at the "No Grapes" screening as racial insensitivity (it should here be noted, not necessarily as an apology, that the Flicks audience often boos at what appears on the screen arbitrarily and, apparently, out of sheer rowdiness or boredom) and the administration's move to terminate Burciaga's position as indicative of a systemic insensitivity in our community toward Chicano faculty, staff, and students (she was the only high-ranking Chicano administrator). Results: rivers of tears, epithets, hunger strikes, negative press for the university, and the formation of presidential committees to examine the "systemic insensitivity" toward Chicanos at Stanford and the potential, for a Stanford-East Palo Alto

community outreach center. Oh, and, once again, Sensitivity can claim responsibility for extortion, rampant dissatisfaction, and a nice week of hand-wringing.

These sweet victories of Sensitivity reveal one thing: if we fancy ourselves oppressed (regardless of how oppressed, ignored, or downtrodden we objectively are) we will see the world, however unrealistic-

ly, as overflowing with instances that support our perception. But we must recognize that the real issue is one framed in signal detection theory: we can put a priority either on calling "hits" or on keeping silent during "misses," but there is always noise in the equation. That is, we can place a premium on catching every instance of our interests being undervalued only at the cost of increasing the risk that we will call "foul" when, indeed, no foul has occurred (the golden path of Sensitivity), or, alternatively, we can put an emphasis on being certain (which is really an emphasis on not repelling those whom we wrongly accuse of insensitivity to our plight) by being willing to turn the other cheek in instances in which we reasonably suspect we were violated.

As members of a close-knit and extraordinarily diverse community we cannot afford to participate in the heresy of Sensitivity; it divides, it discomfits, and it almost never gets us what we really want: freedom from the misunderstanding, prejudice, and strife that inhere in each of us appreciating our own problems more than anyone else possibly could. So, intrepid hunters of the false idol, search no longer. Turn your eyes from the enticing chimera of Sensitivity toward a less egotistical outlook of mutual acceptance and support and discover a community that Sensitivity conspires to destroy.

Ryan Bounds is a senior studying psychology. He is the opinions editor of *The Stanford Review*.

◆ Ross

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ridiculous.... The hypocrisy [of administrators] is readily evident."

The University of Pennsylvania is not alone in experiencing newspaper thefts. At Stanford, a Resident Fellow in the Mexican theme dormitory recently blocked three members of *The Stanford Review* from entering his dorm and distributing copies of their newspaper. "Get that trash out of here!" Resident Fellow José Burciaga yelled at the students. He then grabbed three stacks of papers, throwing them away in a trash bin outside the dorm. After the students informed Burciaga that the University did not prohibit them from distributing newspapers in the dorm, he became even more angry. "Get the hell out of here!" he shouted repeatedly, before eventually calling the police.

The *Stanford Review* did not take Burciaga's verbal assault lightly. In response, they filed a formal complaint with the University, in which *The Review* demanded "that Mr. Burciaga apologize [to] the three students whom he confronted physically and violently, and submit a formal, written apology to the editorial board of *The Stanford Review*...[and] that Mr. Burciaga participate in a seminar to teach him sensitivity to the principles entrenched in the First Amendment, and to the principles of free enquiry and expression requisite of any university."

Ann Porteus, acting co-director of residential education, considered the event unfortunate: "The incident...was regrettable in many ways," she wrote in her response to *The*

Review's complaint. "[C]ensorship based on content violates our commitment to open discussion of all ideas, even difficult or unpleasant ones." While Porteus apologized for José Burciaga's behavior, she couldn't resist criticizing the *Review*. "[A]lthough [*The Stanford Review*] had the right to distribute the paper, I think it was unkind and in poor judgment that you did so," she contended.

Porteus concluded that she did not wish to punish Burciaga, or even ask him to apologize. "This inaction drew the ire of current *Stanford Review* editor Aman Verjee. "It galls me to no end that José Burciaga would not have to take responsibility for his actions," Verjee said. "Here is a man to whom the University pays a great deal of money and/or benefits to foster an atmosphere of openness and tolerance. Yet his actions in this incident could not have been more to the contrary."

Newspaper thefts have taken place on at least 36 other college campuses over the past academic year, according to Mark Goodman, executive director of the Student Press Law Center. These schools include: John Hopkins University, East Texas State University, University of Maryland, University of Nebraska, West Valley College, Ohio State University, Tufts University, Pittsburgh State University, Briar Cliff College, El Camino College, Stevens Institute of Technology, SUNY-Old Westbury, Brandeis University, University of California at San Diego, University of Maryland-Baltimore County, Webster University, Northeastern State University, University of Detroit Mercy, East Tennessee State University, Marshall University, Fort Lewis College, North Carolina State University, St. Bonaventure College, Long Island University, University

of New Orleans, Franklin & Marshall College, University of Louisville, University of Michigan at Ann Arbor, University of Northern Colorado, SUNY-Brockport, Midland Lutheran College, Northwestern University, University of Alabama at Birmingham, California State University Fullerton, California State University Northridge, and Los Medanos College.

Most journalism and free speech experts agree: Newspaper thievery on college campuses is unfortunate for everyone involved. As Washington Times education reporter Carol Innerst notes, "Stealing is not right, and whoever steals something should be punished." Jeff Muir, Program Officer for the Madison Center, concurs: "The appropriate way to deal with [stealing newspapers] is to press charges for theft."

Another issue is freedom of speech. Because the aforementioned thefts were done explicitly to prevent the distribution of a newspaper, they are tantamount to censorship of expression. And while universities publicly champion free speech, they very seldom punish perpetrators of this thievery. This sad reality leads many observers to the same conclusion: that until administrators punish these blatant assaults on free speech and open discourse, they are tacitly endorsing the very theft and censorship that are — by any and all accounts — antithetical to a higher education.

Adam Ross is a senior studying economics and political science. He is a former editor-in-chief of *The Stanford Review*. This article will appear in a future issue of *Campus*, America's Student Newspaper.

Student Affairs hit hard by budget cuts

Faculty and staff left unscathed, ethnic centers receive special review

By RYAN WESLEY BOUNDS

Despite rampant student protests and a rash of campus media attention concerning the specter of budget cuts at Stanford's ethnic student centers, the centers will fare much better than other student affairs programs. Budget proposals discussed at the first two of the administration's fiscal "Town Hall Meetings" promised the hardest financial hits to Tresidder Memorial Union and the Office of Student Affairs. On the other side of the spectrum, the Faculty and Staff Services unit will be undergoing less severe budget reductions and will emerge with minimal losses in services and personnel, according to optimistic projections.

The first of the poorly attended town meetings, held on Wednesday, February 16, outlined the administration's fiscal plans for Student Affairs and other agencies under the purview of Dean of Students Michael Jackson. Jackson's area, which includes the ethnic centers, is confronting budget cuts of up to 20 percent over the next academic year. These reductions are substantially greater than in any other area, including Faculty and Staff Services. Provost Condoleezza Rice confirmed the disparate effects of the proposed budget cuts, stating that, "[u]ndoubtedly, the total cut amount from student services will be greater than from faculty and staff services."

In light of Provost Rice's recent request for university departments to submit worst-case scenarios of budget cuts ranging from five to ten percent and the ensuing indignation of students fearing such cuts to ethnic centers, Jackson presented a set of proposals that would compensate for most of the shortfall in his area through elimination of 1.4 million dollars in subsidy to Tresidder Memorial Union and reorganization of Student Affairs under Vice Provost Mary Edmonds. Jackson emphasized at the meeting that "the [ethnic] centers are not going to be emasculated as a result [of the budget constraints]." Budget reductions to the ethnic centers are under special review by Jackson and Edmonds, but no proposals have yet been made.

The second town meeting, convened Thursday to review proposed cutbacks in Faculty and Staff Services, revealed that substantial staff layoffs and reductions in services for faculty and staff will be largely avoided by selective administrative restructuring and reorganization. Barbara Butterfield,

pared to other institutions, and utility in maintaining the appropriate field of services within the university. This analysis resulted in the proposals which combine for an overall reduction in Faculty and Staff Services of a relatively mild twelve percent overall, including an eventual 25% reduction of the Faculty

employment benefits or training. "There are no proposed cuts to the Personnel Help Center; nor are we planning to cut the Child and Family Services department, though we can't promise that forever."

Following Butterfield's presentation, Tina Kass, Assistant Vice President of Personnel, addressed audience concerns about staff support services that will be instituted or maintained to ease the burden of staff layoffs. Some of those services, according to Kass, are paid membership fees at the Career Action Center (for career counseling), job skills and interests workshops, the "Expert Partners" computer training program, the maintenance of a database of personnel profiles for laid off workers (in order to enhance access to new university jobs), and funds available for retraining.

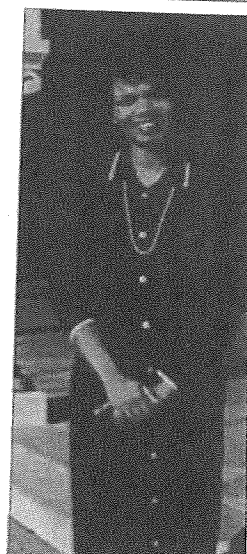
The number of downsizing support programs that Kass listed incited one audience member to ask whether the administration expected a surge of layoffs in light of the budget cuts.

Kass denied entertaining any such concern, saying, "I don't anticipate a huge number of layoffs; the typical number of annual layoffs...is 150 to 180 people, and I would expect this year to have about that many."

Kass also emphasized that Personnel Services would rely on proactive demographic information to ensure that layoffs would not disproportionately affect women, minorities, or staff over 40 years of age.

In general, the budget cuts to Faculty and Staff Services will probably not disrupt the services of this area substantially. There are two significant reasons for the relatively minor impact on this area, according to both Butterfield and Provost Rice. The first is the less severe budget reduction in this area compared to Student Affairs, which is necessitated by the largely non-discretionary nature of the departments in the area — according to Butterfield, 60 percent of the services provided by her area are legally mandated. The second reason is the unit's reliance on restructuring rather than personnel slashing to increase efficiency.

Provost Condoleezza Rice confirmed the disparate effects of the proposed budget cuts, stating that, "[u]ndoubtedly, the total cut amount from student services will be greater than from faculty and staff services" Budget reductions to the ethnic centers are under special review by Jackson and Edmonds, but no proposals have yet been made.



Vice President of Faculty and Staff Services, began Thursday's meeting by enumerating the departments in her area that would be affected by the new budget proposals.

Faculty and Staff Services comprises Personnel Services, the Office of Environmental Health and Safety, Child and Family Services, the Personnel Help Center, the Faculty and Staff Housing Office, and the Office of Risk Management. These offices are significant to most Stanford employees because they provide family services, health care benefits, housing assistance, job training, and an array of other services, as well as managing staff personnel.

Among the criteria employed in evaluating the Faculty and Staff Services units, according to Butterfield, were competitiveness with external providers, degree of efficiency com-

and Staff Housing budget and an outsourcing of career counseling services to the Career Action Center in Palo Alto. Butterfield further indicated that the redesigning of retirement, dental, and salary-increase programs, among others, would be undertaken over the next two years to attain further cost-efficiency in the area.

Butterfield responded optimistically to inquiries from audience members concerning the impact of the cutbacks and the breadth of upcoming restructuring. She dismissed a question on the nature of the restructuring of the retirement plan by noting that these proposals should not be interpreted as promises, but rather as ideas of administrative reorganization that may still face further consideration.

Butterfield ended by emphasizing a desire to spare some departments from cuts, particularly those that aid in staff

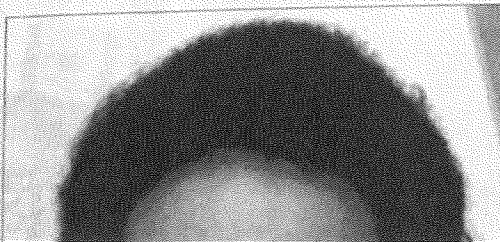
schisms among student subcultures. "Racial pride, understanding of one's culture — and the cultures of others — does not necessarily lead to separation.... It would be a disservice...to go out to the non-academic world not understanding the cultures and history of this country," she continued, "[i]f there is a tension it's due to a lack of understanding."

But Dickinson criticized efforts by some groups to

Dickson

Continued from cover page

Dickson contends that affirmative action benefit society by emphasizing the importance



line. Although service is guaranteed within five minutes, observations have shown that during peak times of 11:00 a.m. and 3:30 p.m. the average

is a national program. It's done in post offices all across the country." Ruiz claimed that maintenance of the five minute policy was very difficult

hour kiosks with vending machines and an electronic [package] scale."

Aside from the problems of Continued on page

Sports Center criticized by students, staff

BY RYAN WESLEY BOUNDS

Despite student dissatisfaction with level of services currently provided non-varsity users of the state-of-the-Arrillaga Family Sports Center, administrators of the Department of Athletics have said that they hope to minimize the levels of student service access at the new facility. Recent actions to the center — particularly to partition isolating the varsity athletes' of the weight room — betray concerns that students risk being marginalized in their own athletic and recreational venue.

Criticisms of the preliminary operations of the center focus largely on its most visible part, the weight room.



Getting a bench at the new Arrillaga gym can be half the workout

Chang Kim, a sophomore and frequent user of the facility, derided the segregation of the varsity weights and equipment from the rest of the room. "Other evening when I went to lift, there was no free equipment; all the weights could discern that weights were lying unused, on the other side of the partition. I just looked at it and asked myself 'what is the point?'"

Tom Beckett, Assistant Director of the Department of Athletics, was quick to dismiss fears that any policies have been or might be instituted that would gratuitously inconvenience non-varsity users of the facilities. "We are still trying to define the actual time and use of facility. We want to make it as exp

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Right Drift

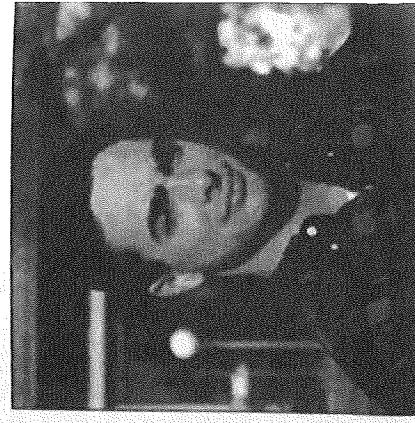
There's been a lot of talk about how Stanford is moving to the right. Is this move real, or is it just a perceptual illusion?

Tidbits

If midterms have left you far behind in your leisure reading, don't worry. Here are words of wisdom from the National Review and Reason, among others.

The Lighter Side

How does a student know when he's at Stanford? Well, Michael Ehrman has compiled a list of hilarious, surefire, telltale hints that let you know when you're on the Farm.



• Gym

Continued from cover page

sive and available to students as we can," he asserted. He continued by emphasizing that "one of the priorities was making [the center] available to as wide a range of student interests as possible. There has never been an intent to segregate this facility."

Beckett further noted that disappointment with current services probably results from the unavoidable confusion of the center's recent — and premature — opening. The Athletics Department was asked to vacate the building that previously housed its headquarters before Winter quarter to make room for the Human Biology department, whose previous quarters in the quad are currently under repair for earthquake damage. "We hit the ground running," said Beckett, "but one of the things you run into when you open a building before these things have been decided is confusion."

Regarding the temporary, half-height partition between the varsity and open-access sections of the weight room, Beckett admitted "the wall was put up for no real reason...we have not yet determined the use of the rooms for ourselves."

The separation of the non-varsity recreation facilities in the center has not been the only complaint to reach the administration of the Athletics Department. A February 16th protest in the weight room by members of Stanford's gay and lesbian community demonstrated that there is additional dissatisfaction with access to facilities within that camp. In a statement given to the Daily, Senior Rachel Maddow characterized the weight room as especially "uncomfortable" for homosexual students.

Beckett responded to news of the protest by reiterating the department's dedication to giving the facility unparalleled accessibility. "To my knowledge, there is no institutionalized barrier to active use by homosexual students...but we intend to provide an atmosphere that is accessible to all" he said.

As Beckett indicated, administrators and staff of the Athletics Department are excited by the new facility.

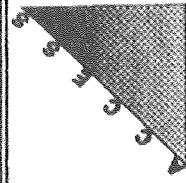
services that were offered at Encina, despite student criticisms of the new complex. "This building has been described as one of the best in the country — and to provide this to students is quite a privilege," he remarked.

The new center, beyond being merely larger and modernized, will offer the Athletics Department and its users a number of new facilities when it is completed, which is hoped to be before the end of the academic year. Beckett observed, "[a]ll of the functions that we have in this building are functions we had in the old complex, but we have added significantly."

One of the more exciting innovations is the interactive multimedia "Hall of Fame" room, in which the trophies and media clips of Stanford's most accomplished teams and athletes will be displayed. Other benefits of the department's new headquarters include a 120-seat auditorium and screening room (previously the football team was forced to convene meetings in the History Corner due to lack of space) and a cafeteria, in which the football team's training table will be held.

Notwithstanding the dramatic increase in size and range of services of the sports center, athletes and staffers have gone so far as to criticize the physical layout. Some believe that the floor plan is slightly confusing and convoluted. Matthew Vaughn, a senior football player, noted that "the building is laid out somewhat inefficiently." A staffer who wished to remain anonymous indicated an excess of short and narrow hallways "with doors that open to other hallways."

Despite student concerns about levels of service and accessibility for



ACCESS

COMPUTER TECHNOLOGIES

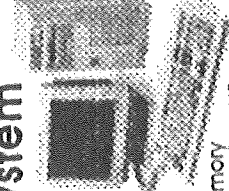
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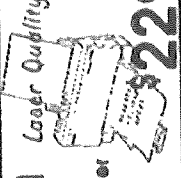
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Athletics Department officials maintain that, when it comes to the new complex, students will recognize the improvement over Encina. "We welcome everyone," said Beckett. "It will be a benefit for all concerned."

Stats reveal slow billet growth in Foreign Language Departments

BY RYAN WESLEY BOUNDS

In revealing a decade of disproportionately sluggish growth in Stanford's foreign language departments, a retrospective survey of billet allocations released by the Dean's office appears to substantiate faculty claims that the foreign language departments have suffered a history of administrative neglect.

The document shows that the humanities cluster of the School of Humanities and Sciences has grown over eight and one-half percent since 1981, whereas the foreign language departments have shown a modest col-

lective gain of only about three percent.

That the number of billets in other humanities departments has grown faster than in the foreign language departments seems to justify past faculty complaints. The November 22nd issue of the Review reported several foreign language faculty members' claims that their resources have been disproportionately taxed by the University's misguided fiscal retrenchment policies over the last decade.

The administration refused to release departmental budget figures, which otherwise would have permitted the comparison of university allocations of fiscal

resources to the foreign language departments relative to the rest of the humanities departments.

Senior Associate Dean for the Humanities John Etchemendy, whose office provided the breakdown of billets allocated in H&S, concedes that comparing billet allotments is a fair way to evaluate the relative resources of the foreign language departments and a reasonable substitute for direct comparison of confidential fiscal budgets.

Nevertheless, Etchemendy cautioned that the difference in rates of growth in the humanities cluster and the foreign language departments might be mis-

leading. He argues that, due to budget constraints, growth in almost every established department and program is negligible and that the overall increase in humanities billets reflects the promotion of new programs, such as "History and Philosophy of Science" and "Ethics in Society."

This does not indicate that university resources are not being disproportionately dedicated to other entities, however. Etchemendy noted that, during a decade of budget cutbacks and shrinking billet counts, non-academic agencies and offices of the university have shown steady growth.

READY TO FORMAT PAPERS TO REQUIREMENTS
OF PROFESSIONAL AND TECHNICAL JOURNALS?

Stanford's Foul Language Departments

Multiculturalism diverts resources from languages

BY RYAN BOUNDS

In a clear mandate to the Casper administration to redirect university resources, faculty members of the foreign language departments have, in the past, expressed dismay that their programs have been allowed to dwindle even while university agencies such as the Office for Multicultural Development (OMD) have been promulgated and sufficiently funded.

Lazar Fleishman, chairman of the Slavic Languages and Literatures department, described the problem as "general negligence toward the foreign language programs on the part of the former administration," which has left this department sorely underfunded.

Fleishman's concerns are focused on whether the Slavic Languages and Literature department will be able to maintain its popular Polish, Ukrainian, and Czech programs. The programs are currently funded by sources external to the university, but were intended to be institutionalized in the long run. Fleishman, however, doubted his department's present ability to attain that goal.

The opinion that the foreign language departments are substantially overburdened is echoed in other departments. Professor Gerald Gillespie of the German Studies

Literature Association, decried the decline of his department's national reputation, lamenting that it was "frittered away" by the former university administration's misguided retrenchment policies.

Gillespie charged the Stanford Trustees with "defaulting on their fiduciary responsibility" by permitting university resources to be allocated inappropriately and allowing Stanford's academic core to be jeopardized by the "spread of rot and decay throughout the humanities."

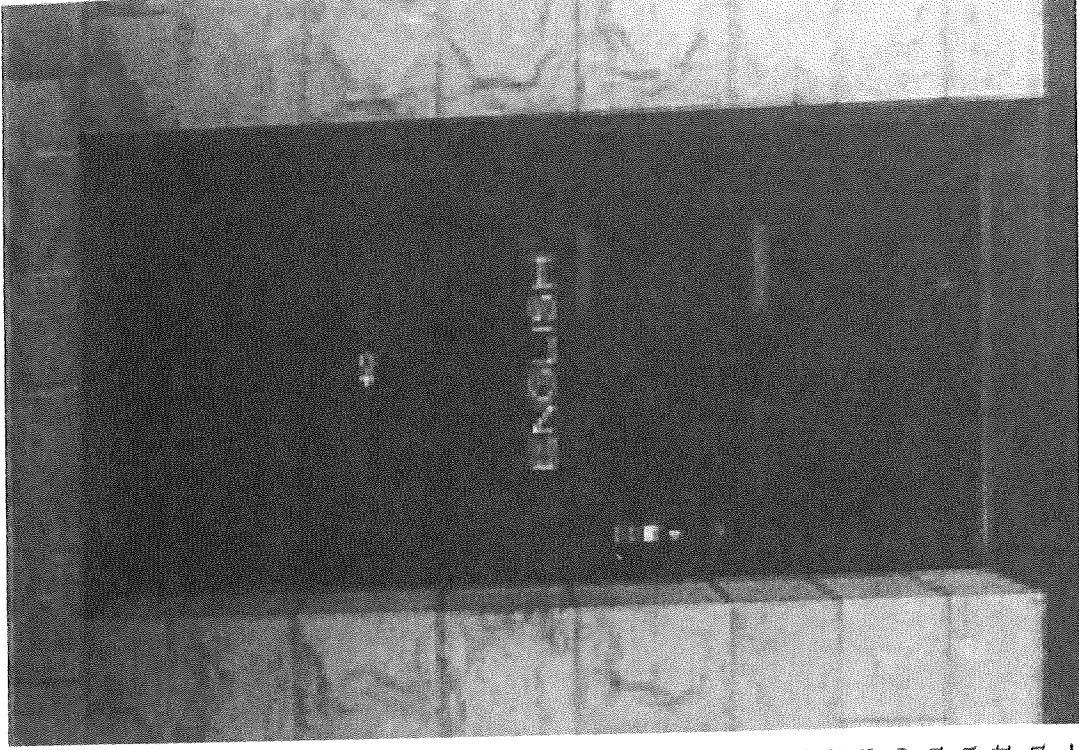
Much of the decay in the foreign language departments has come, according to Gillespie, in the form of the previous administration's ideological dedication to multiculturalism, which reflected an "underground hostility and animus toward departments that seem to sustain and study [other] cultures." Gillespie contended that there was a strong inclination in the Kennedy administration to limit departmental autonomy and control while pursuing its "psychology experiment" of multicultural programming.

In Gillespie's view, the foreign language departments were brought to their knees by administrators who were little more than "demolition workers," intent on dismantling undesirable programs. He argues that the foreign language departments "gave in

In support of his argument, Gillespie noted that the Stanford German Studies Department experienced its peak in the early 1980's, when its faculty was over twice as large as its current six members and enjoyed eminent renown.

However, budget restrictions throughout the university have taken their toll on his department in the form of stringent cost-cutting measures. He noted, also, that the department has been allowed to shrink through attrition so much that it is now what he describes as "a shadow" of its former self.

Gillespie claimed that the administration's lassitude in the face of declining language and cultural instruction can be linked directly



After multiculturalism is this the last foreign language that will be taught at Stanford University?

from academic innovation to "social experimentation" during the final years of his office. Gillespie indicated

• Language

Continued from cover

"obscenely overblown, seraphic bureaucratic" that pervades the university's 1991 Affirmative Action Plan, wherein the role of the Office of Multicultural Development was expanded to include what is described in the plan as "ensure[ing] University-wide influence of the multicultural agenda through...coordination of new financial resources to support initiatives and projects..."

Gillespie took particular exception to the language of the preamble of the OMD subsection of the plan which states, in part, "Stanford University begins a transformation to ensure that multiculturalism is infused into (not appended to) all aspects of teaching, research, planning, policies, practices, achievement, and institutional life." He was quick to note that there is no mention in the document of a renewed commitment to academic excellence.

It is particularly disturbing to Gillespie that resources were dedicated to the OMD to expand multicultural programming while simultaneously restricting in the very departments that support the study of other cultures. He contended that the Kennedy administration viewed multiculturalism as a "social science black box" that would ameliorate interpersonal conflict within the university. Gillespie argued that multiculturalism was doomed to fail because it could not replace the dedication to cultural complexity that is facilitated by the foreign language departments.

Both Gillespie and Fleishman have

expressed the hope and expectation that the current administration will reverse the neglectful policies followed under the Kennedy regime. Gillespie remarked on the necessity of such a reversal, saying that "if the university wants to be a major force in humanities and international studies, it cannot ignore European studies." He is optimistic that the Casper administration will be more sensitive to this concern

assumption that university resources were withheld from the foreign language departments as a result of the Kennedy administration's multicultural agenda, Provost Rice remarked: "I doubt that would be the case." Vice Provost for Institutional Planning Geoffrey Cox also countered the notion that the foreign language departments and the OMD could be competing for the same resources, stating "that is sim-

Both Cox and Provost Rice assert that allocation of funds to the OMD would be unlikely to impinge on foreign language department resources because funds for those departments are directly disbursed by the Dean of Humanities and Sciences from a general allocation to that school.

than its predecessor and more competent in addressing it.

It is impossible, however, to ascertain whether the expectations of foreign language department faculty members have been met by the current administration. The Provost's Office refused to release budget information regarding resource allocations to the foreign language departments and the Office of Multicultural Development. Provost Condoleezza Rice defended the restriction of such information, saying that it is not available to the public because "it is just not transparent the decision making processes that go into formulating those budgets."

When asked about Gillespie's

focused on education and programming right now" and noted that the office is considering a return to its original name of Office for Affirmative Action.

Provost Rice affirmed that the OMD has undergone a "sharper refocusing." Rice described the current mission of the OMD as one mainly of overseeing compliance with affirmative action directives in the hiring and promotion of university staff.

Both Little and Rice cited this summer's report of the President's ad hoc committee for the reevaluation of the OMD, headed by History Professor Al Camarillo, in explaining the restriction of the OMD's activities this year. In its report to the president, the advisory committee insisted that "the OMD must re-emphasize its core functions regarding staff affirmative action."

In response to faculty suspicions that the OMD is over funded and largely unaffected by budget cuts, Little was quick to note that the budget for her office has not increased over last year and that she oversees a personnel of just four members. She also stressed that her role is different than that of Sharon Parker, the former director of the OMD, whom she described as "a change agent."

It remains to be seen whether the restricted budget or the refocusing of the OMD's mission might result in a more solid commitment by the Casper administration to Stanford's foreign language departments. Some faculty members certainly hope, for the sake of the university and their departments, that it does. "There is almost a moral imperative," observed Professor Gillespie, "that President Casper not spend on anything but rebuilding the Humanities core."

Edmonds' announcement raises doubts about Honor Code on campus

BY RYAN BOUNDS

After a dramatic increase in reported infractions of the honor code during the '92-93 academic year, the scandal involving the 1993 winter quarter philosophy CIV final, and anecdotal accounts of widespread cheating, Vice Provost and Dean Mary Edmonds announced a forthcoming review of the Stanford Honor Code.

In a telephone interview, Judicial Affairs Officer Sally Cole observed that reexamination of the honor code occurs at a point when "several threads came together." She cited the fact that the honor code has gone unexamined since 1976.

Recent trends indicate that the honor code is losing the esteem of Stanford faculty, administration, and students. Cole recognized that "[i]t is clear that an honor code, in and of itself, is not the answer to student cheating." During an informal poll, in which fewer than half of those students questioned supported maintaining the honor code in its current form, one student remarked: "[the honor code] is great in theory, but in reality it's a farce."

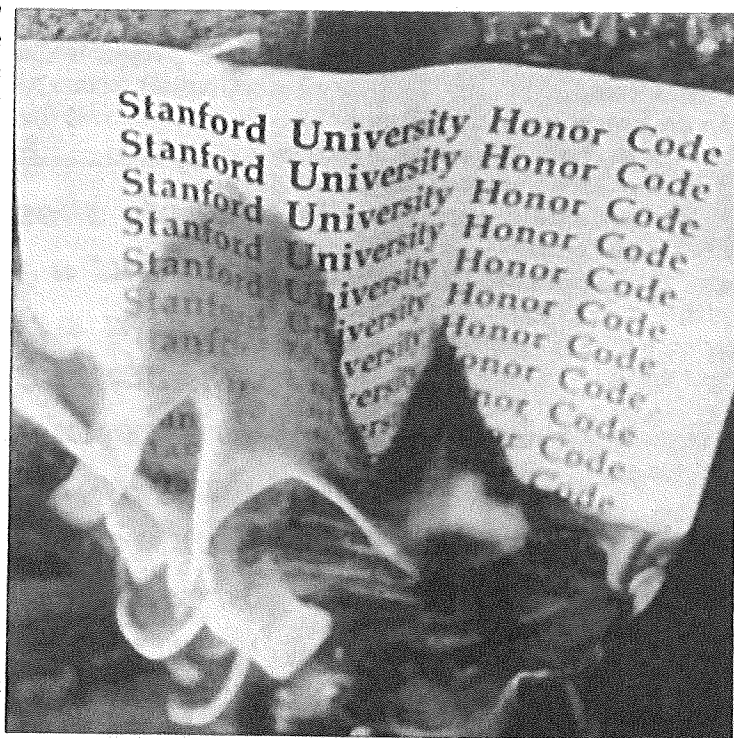
Professor Stephen Clausing, who recently joined the Computer Science department here after seven years at Yale University, expressed serious misgivings about Stanford's honor code by freely admitting that he "[does] not like it." He primarily objects to the faulty foundation of the honor code. Clausing stated that "honor codes are only fine if everyone is honorable. Past evidence here at Stanford would indicate that this is not the case."

Clausing also objected to the notion that the university must show its faith in its students by trusting them to police themselves. According to his argument, whether professors proctor their examinations does not reflect the degree to which they respect the honesty of their students. Instead, Clausing contended, proctoring of examinations merely discourages cheating by those students who are not worthy of trust, anyway.

He noted that, at Yale, professors proctor "with a vengeance."

A third theoretical objection raised about the current honor code is its contradictory implications. The honor code, premised on the presumption of trust in student responsibility, still requires that professors avoid tempting students to cheat. Clausing asserted that "the honor code itself is a temptation to cheat." He observed that the other universities at which he has studied and taught seemed to function well enough without an honor code, but admits that this does not mean that Stanford is wrong in having one.

Dr. Ron Glass, director of the philosophy CIV track, in which there were



Will the Stanford's Honor Code go up in flames?

reports of wanton cheating on the winter quarter final last year, supports the honor code. Glass disclosed that he "would be very dismayed if [Stanford] abandoned the honor code."

Nevertheless, Glass suggested that certain operational improvements might render the university's current code more efficacious. He called upon Res Ed to focus some of its programming on informing students of the responsibilities and ramifications of the honor code and argued that enforcement of the code might be strengthened by increasing student involvement in its administration.

The current honor code requires

Continued on page 3

Bell to Stanford. Mary Edmonds, Vice Provost and Dean for Student Affairs, approved the plan.

America—do not actually practice democracy.

Diamond suggested that tries weaken the political p

• Honor code

Continued from cover

only that students take responsible action in the event that they are aware of cheating by others. Presently, if a student reports that a violation has occurred, the person in authority is not at liberty to demand of the student the names of individuals suspected of cheating.

Glass suggested that this contributed to the difficulty in punishing honor code violations in his class. He observed that students aware of cheating by others have only "a duty to pressure them...until something has happened." In the case of last year's winter quarter CIV final, this pressure did not result in any forthright admissions of guilt or affirmative allegations. Glass suggested that, if the honor code were administered by a panel of students that had a broader range of punitive measures at its disposal, "coercion would be more appropriate" during investigations of possible violations.

Glass has already undertaken to increase the effectiveness of the honor code in the philosophy CIV track. At their first section meeting, students applied various types of argumentation in a discussion of the honor code in a moral community. Glass plans to return to the ramifications of moral thought and the honor code throughout the year, in hopes that such activities will raise student awareness about responsibility under current interpretations of the code.

Abolition of the honor code, as Professor Clausing favors, or significant changes in its operation, as Dr. Glass has proposed, may well result from its forthcoming reassessment, according to Vice Provost and Dean Mary Edmonds. She stated that the honor code would be reviewed "in all of its aspects," and that "it is hard to predict what might change."

Among the components of the honor code that are likely to undergo special scrutiny,

according to both Edmonds and Judicial Affairs Officer Sally Cole, are the prohibition of examination proctoring, the extent of students' general accountability, definitions of plagiarism, and the effectiveness with which students are informed of the honor code's requirements.

By Cole's estimation, only 20-25% of American colleges and universities operate under honor codes similar to Stanford's. Princeton University is the only Ivy-League institution

to do so. Cole observed that many institutions are reviewing attitudes toward their honor codes, but nevertheless expressed doubt that Stanford would abolish its honor code in the wake of the reassessment. She cited several empirical findings that suggest that students are more honest and scrupulous in environments where they are individually responsible for enforcing standards and guidelines.

Cole did, however, support strengthening of the honor code, particularly through improving student awareness. She asserted that "there are a zillion ways to do that" that would leave the fundamental principle and operation of the code intact.

The last review of the Stanford Honor Code, which occurred in 1976, resulted in only one lasting change. In response to a finding that students and faculty were not adequately informed of the meaning of the code, which has

changed little since its inception in 1921, the Student Conduct Legislative Council (SCLC) appended the "interpretations and applications" statement. This statement now appears on most university testing materials and blue books. An Honor Code Commission, charged with boosting awareness and adherence to the code, also resulted. This commission, however, disbanded after several years.

According to its charter and university policy, the SCLC is responsible for overseeing the review of the honor code.

Vice Provost and Dean Mary Edmonds and Judicial Affairs Officer Sally Cole

have expressed the expectation that the council will

begin its assessment with

a large-scale, anonymous survey of faculty and

students in an attempt to establish the de facto prevalence of academic misconduct at Stanford. According to Cole, "[w]ithout doing some kind of survey—asking students anonymously about their personal honesty and dishonesty—it's hard to know if changes appear to be warranted."

Both Cole and Edmonds expect the forthcoming review of the honor code to be implemented by the end of the quarter. The SCLC has not yet convened for the year, but the administration has several outstanding invitations to faculty members to sit on the Council. The two student members of the council were nominated by the ASSU Senate last spring.

There has been no commitment by the university administration to a date by which changes to the honor code should be undertaken. According to Cole, the process could easily continue throughout the year.

Form titled "THE STANFORD UNIVERSITY HONOR CODE" with sections for Name of student, Date of examination, and a list of rules (A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, Z). The form is partially filled out with handwritten text.

• Brock

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He stated that according to the PACE poll, only nine percent of Californians say that they are satisfied with the public school system. He argued that the public schools have a monopoly. "[The public schools] get the kids the money, no matter how they perform."

s to have certification or even a degree, an absence of real requirements, and a rule which not require teachers to test stu-

school could discriminate on gender and religion, but still get federal funds. According to Hopkins, the proposition states that in 1996, \$2600 will be

munity college), to private schools for every student currently enrolled. To this end, he pointed out, if not a single student left, the public school system would still lose \$1.3 million. Another \$2600 would be transferred from the Fund to the General Fund, available for the politicians to "spend any way they wish."

Hopkins also made the point that there are only 43,000 spaces open in the private schools and 5.3 million public school students, but Moe later responded that, once the voucher system was implemented, more spaces would become available due to the demand for better schools.

Hopkins concluded that the coalition of groups against Proposition 174

Continued on page 3

research funded by Undergraduate Research Opportunities, and an alliance with leadership positions in MEChA and El Centro Chicanos affairs.

Despite these qualifications, Herrera's selection. "I was not adequate information," Anthony Westerfield, a member of the Committee on Committee his vote to nominate Herrera. lied to."

Westerfield's dissatisfaction stems from what he sees as the committee's selection. "Basically, we had a policy which thought that any member of student go-

Continued on page 1

Manage on Res Ed Director candidate's mind

BY RYAN BOUNDS

move that coincides with the program at the University, has begun to interview its five finalists to fill the permanent position of Director of Residential Affairs. In her public interview, Dalgarn set the tone for the finalists by candidly questioning University policies on theme houses, fraternities, drinking policy.

currently assistant dean and director of housing at the

Michelle Dalgarn, the first of five finalists, made an exhaustive presentation of her credentials, in which she expressed her personal views—some of which run contrary to current Res Ed programming and operation.

Office of Residential and Judicial Affairs of Vanderbilt University in Nashville, Tennessee, visited Stanford as the first of the finalists. During the public forum, which members of the search

committee hope will facilitate student and staff participation in the selection of the new Res Ed director, Dalgarn made an exhaustive presentation of her credentials, in which she expressed her

personal views—some of which run contrary to current Res Ed programming and operation.

Dalgarn has been involved in the administration of student affairs at Vanderbilt since 1979, when she assumed an assistant director position responsible for 14 resident assistants (RA's) and 750 first-year students. In 1985, Dalgarn has served in her position at Vanderbilt.

During Dalgarn's presentation, differences in the residential life of student populations at Stanford and Vanderbilt were

Continued on

defended the public school system by explaining how, due to federal regulations, time must be taken out from teaching the curriculum to introduce such topics as drivers education, sex

ed. "Have you ever heard of a bad business that never goes out of business and you have to buy it's products? That's the world of public schools."

In response to why public school stu-

thing. The questioner pointed out that the electorate is all the registered voters and not just those that actually vote. "Only about 60% [of the electorate] goes out and votes, so we would need about

• Res Ed director

Continued from cover page

Dalgarn estimated that less than 15% of the Vanderbilt undergraduate student body comprises members of ethnic minorities, less than half the relative minority population of Stanford. Dalgarn has never advised or directly interacted with a minority student organization.

Dalgarn's views on the construction and maintenance of a multicultural community diverge from what many students perceive as current Res Ed policy. She expressed during her presentation a strong dedication to open discourse on difficult and inflammatory issues of social values, admitting that "things are not always going to be smooth."

Dalgarn noted that, when she first arrived on campus, she was dismayed at the number of racially and culturally defined residences and theme houses at Stanford. She insisted that she "would not want to see students separated or segregated in any way." Dalgarn indicated that she completely agrees with the proposition that a well formed multicultural community is one that is maximally integrated, a view not often attributed to the former Res Ed director.

Dalgarn noted other significant differences between residence life at Vanderbilt and Stanford. Fraternities at her present university remain socially and philanthropically active, yet none of them are housed; at Stanford, the number of housed fraternities is substantial. Although she bypassed the issue of

whether she felt it better for Greek organizations to be housed, Dalgarn told Stanford's director of Student Activities that she felt fraternities generally wield a "positive influence" on campus and "contribute in many ways."

Another difference between Dalgarn's present institution and Stanford involves the stringent control of alcohol at Vanderbilt. Dalgarn flatly agrees with such a policy and staunchly adheres to it. In her clearly stated view, there is no place for underage drinking and related violations within the university environment. She stated that she does not personally believe that dormitory funds can rightly be used for the purchase of alcohol and is openly dismayed at the presence of kegs on campus.

Dalgarn elaborated in response to a Stanford RA's question that she feels that he and his colleagues have the affirmative duty to admonish even calm and reserved underage drinkers, if they are imbibing in public view. In general, however, she lauds the removal of disciplinary responsibilities from the purview of resident assistants. She observed that the disciplinary capacity tends to undermine the supportive nature of the RA-student relationship.

A final difference between Dalgarn's present institutional position and the one she hopes to enter are their relative financial situations. Dalgarn proudly noted she was never told she could not implement a program for want of resources at Vanderbilt. The residential program there has grown continuously since she joined it in 1979. Although the three million dollar Res Ed budget may

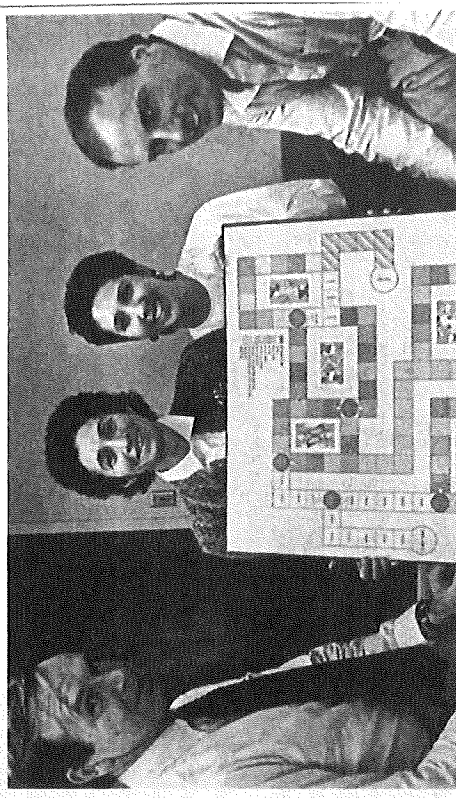
be relatively large, Stanford is currently mired in the process of cutting costs in every department and program. Dalgarn freely and unequivocally admits that she has no experience with institutional downsizing.

Despite her novel views on how much of Stanford's residential life should be organized and administered and her experiences at a significantly different institution, Dalgarn was confident that she could bring the necessary talents and vision to the position of Stanford's director of Residential Education. She

cited her ample experience communicating with university faculty and students, and characterized herself as "extremely organized" and very experienced in program design and implementation.

The other four finalists in the director search are scheduled to appear in public forums before Thanksgiving. Ann Porteus, current interim co-director of Res Ed at Stanford, was interviewed on October 28. Howard Schein, Associate Director of Housing for Academic Programs and Assistant Professor of Educational Psychology at University of Illinois at Urbana-Champaign, will make a public presentation on November 12. David Stephens, Associate Director of Residential Life at

Arizona State University, will hold a forum on the 16th of November. The last selection interview will be held on the 18th of November for Joan Hirt, Interim Associate Dean of Students at University of Arizona.



Former Res Ed Director, Alice Supton, with Sexploration.

The position of director of Residential Education has been vacant since former chief Alice Supton resigned last spring in order to spend more time with her family. Supton left her position after 15 years of service — the last two of which she worked only part time. Since Supton's resignation, Res Ed has been jointly overseen by associate directors Ann Porteus and Diana Conklin.

The vice-provost's office hopes to announce the name of the candidate selected for the position of director of Residential Education, the salary for which is between 55 and 70 thousand dollars annually, by the middle of January.

VTSS gets a complete makeover

In the wake of VTSS CIV's dropping and renaming of the department, many students begin to ask questions

BY RYAN BOUNDS

Evolutionary changes in the organization and name of the Science and Technology in Society Program (STS), formerly Values, Technology, Science and Society (VTSS), have left many Stanford students confused about the academic mission of the program and its role in the university. The program, which shifted from the School of Humanities and Sciences to the School of Engineering prior to the 1992-93 academic year, has suspended its popular CIV track for the current year.

M. Katy Moore, the STS program administrator, insists that these changes do not relate to one another, and that student confusion can be attributed to the fact that Stanford students "don't like to read

into the School of Engineering.

This does not represent a shift in intellectual focus, according to Moore, who recoils at the suggestion that the program has "dropped its values." Administrators adamantly insist that the program will retain its commitment to interdisciplinary examination of the interactions of science and society.

Associate Chairman of the STS program Professor Robert McGinn offers several explanations for the name change. Primarily, VTSS majors and graduate students wearied of having to explain the significance of the cumbersome title to friends and family. Secondly, analogous programs and departments around the country (such as those at M.I.T. and Cornell) are known by the letters STS. McGinn noted that there is a "general con-

M. Katy Moore, the STS program administrator, insists that ... student confusion can be attributed to the fact that Stanford students "don't like to read the information" that is available to them.

the information" that is available to them. An apparent source of fallacious rumors about the program is the dropping of the word "values" from its title shortly after moving

vergence on the title STS in this field."

Many also feared the deceptively

continued on page 3

• VTSS

Continued from page 3

grandiose title given to such a small program — one of the very few units in the University to be abbreviated by more than two or three letters. The name change was ultimately supported after substantial discussion by a vote of the students, staff and faculty in the program.

The late suspension of the Science and Technology in Society CIV track for the current academic year disappointed many incoming frosh who had selected it from among the various available tracks, and led older students to believe that the STS track had been permanently canceled.

While regretting that the popular track could not be offered this year, the administrators of the program emphasized that it was only suspended for want of a faculty member to serve as director and primary lecturer. Barry Katz, a senior lecturer in

the School of Engineering, served in that position for several years, and won the admiration of many of his first year students.

At the conclusion of the 1992-93 academic year, however, Katz submitted his resignation and accepted a professorship at the California College of Arts and Crafts, a small private institution in Oakland. A committee searched earlier in the spring to locate an associate professor (teaching) in the School of Engineering to assume Katz's former responsibilities. The STS CIV track was not suspended until it became apparent to administrators that the associate professorship would not be filled.

The proposed STS CIV track

remains nearly identical to the VTSS track in past years, yet still differs from CIV tracks offered by other departments. Students in the STS



The study of technology disappears with VTSS.

track will be expected to undertake a spring project, which involves reproducing an artifact by emulating techniques employed by its original makers. The projects are group-based and overseen by chemical engineering students. The readings, beyond those common to all CIV tracks, include such relevant fictional masterpieces as *Frankenstein* and *The Invisible Man*.

Other previously popular VTSS classes remain unaffected by the changes in name and organization of the program. The class entitled "Ethics and Public Policy," which typically draws twice as many prospective students as can be admitted, will be held winter quarter. McGinn hopes that the class, devoted to interdisciplinary scholarship and analytical skills, will remind students of the program's continuing role in the university as a challenging and progressive academic field.

While regretting that the popular track could not be offered this year, the administrators of the program emphasized that it was only suspended for want of a faculty member to serve as director and primary lecturer. Barry Katz, a senior lecturer in the School of Engineering, served in that position for several years, and won the admiration of many of his first year students.

The Stanford Review

VOL. XIII, NO. VII

AN INDEPENDENT STUDENT PUBLICATION

November 28, 1994

Students protest the Indian mascot

By Ed Malone
Senior Staff Writer

A cold wave has swept across Stanford in the last few weeks, but on Wednesday November 16, things heated up dramatically. About fifty students met in White Plaza to conduct a protest against *The Stanford Review*. The protesters were set off by a new feature in the *Review* called "Smoke Signals" which began in October with the paper's Volume XIII, under the editorship of Aman Verjee.

Since the beginning of the year, many students have called the use of the caricature a "demeaning" and "offensive" stereotype of Native Americans. In a contentious meeting three weeks ago, the Stanford American Indian Association voted *not* to write a letter of protest to the *Review*, but demanded that President Casper himself take action to lift the caricature from the newspaper.

Approximately half of the students at the protest were of American Indian descent; members of other ethnic student organizations were present as well. The protesters gathered in White Plaza around noon, with as many copies of *The Stanford Review* as they could find; then they marched to President Casper's office in the Inner Quad in the hopes of seeing him personally.

However, when they arrived they found the door to his office locked; recently, President Casper's secretary told us that the Casper was away on business in Pittsburgh on November 16, even though his special assistant Jean Fetter and others were inside when the protesters arrived. When the protesters realized that they could not gain access to the office, they shredded the papers to pieces and took turns strewing them across President's Casper's doorway.



Students grabbed as many copies of *The Stanford Review* as they could, marched to the President's office and littered copies of the paper at the door of the office.

For some of the protesters, the march was a way to let off steam. "That felt really good," said Vanessa Alvarado, a junior and one of Stanford's four student body presidents, as she stepped away from the door so others could add to the pile. "[The *Review* is] like a monkey on our backs."

The protesters argue that the Indian logo promotes a negative stereotype of Indians and creates a "climate of hostility" on campus. "[I as a Native American] don't feel like I am equal with the other students as long as this mascot is here," said Lawrence Tovar, co-chair of Stanford Native American Graduate Students and the organizer of the march. "The different nations that make up the indigenous people of America have been grouped together under one stereotype. . . [The cartoon implies that Native Americans] express themselves through violent and grotesque facial expressions instead of rational thought."

The editorial board of the *Review* has asserted that their intent is not to offend, and that the assumption that the caricature is insulting to American Indians is no more plausible than the assertion that the Minnesota Viking symbol is offensive to Americans of Scandinavian descent. However, the protesters disagreed; Bevan Baas argued that the cartoon damaged the "self-image" of Native Americans.

For several weeks, members of the Stanford Native American Graduate Students as well as the ASSU Senate have urged Casper to take action against the *Review* on grounds that the paper uses the Stanford name, but to no avail. President Casper and Provost Rice have gone on

continued on page 3

Seeking minorities

Provost's committee produces recommendations for boosting number of minority graduate students

By Lucas Mast
Staff Writer

After seven months of deliberation, the Provost's Committee on the Recruitment, Retention, and Graduation of Targeted Minority Graduate Students, announced its findings concerning the University's success in attracting qualified graduate students from targeted minority status.

It is apparent from the report that while the University is making strides to improve its yield of targeted minorities (African Americans, Native Americans, Mexican Americans, and Puerto Ricans), the pool of available recruits is small enough that competition for these individuals is extremely severe.

The seven-month study by the Provost's Commit-



Rice explains the low number of minority graduate students.

tee on the Recruitment, Retention, and Graduation of Targeted Minority Graduate Students formulated seven recommendations:

- 1) The President and Provost should continue to "provide high-profile public championship" of principles established in a 1989 report by the University Committee on Minority Issues, and give priority to fundraising initiatives that encourage minority students' interest in graduate programs.
- 2) The deans of the various schools should each prepare/update a 5-year plan for diversity that includes annual reports tracking minority faculty hired, and the recruitment, admission, retention, graduation, and current employment of graduate students.

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Stanford considers changes to Engineering, Science requirements

By Thorvin Anderson
Staff Writer

In a move that could significantly impact the experience of non-science majors at Stanford, the Commission on Undergraduate Education (CUE) has proposed abolition of the Mathematical Sciences (Area 4), Natural Sciences (Area 5), and Technology and Applied Sciences (Areas 6) distribution requirements. In their stead, the CUE suggested a year-long sequence of science and engineering core courses taken in the sophomore, junior, or senior years.

"The working model was in some sense a CIV for science," stated Mathematics Professor Brad Osgood, a member of the CUE subcommittee charged with examining the distribution requirements. "Ideally, there should be several tracks."

Osgood stressed, however, that the proposed core would be purely optional; the possibility of obtaining science experience through the current distribution requirements would be maintained. Math, engineering,

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INSIDE THIS ISSUE

Big Game 1994: What Happened?

The Chief was in the stands at Cal last weekend, watching us getting stomped on by the Weenies.

Smoke Signals 2

Beat It

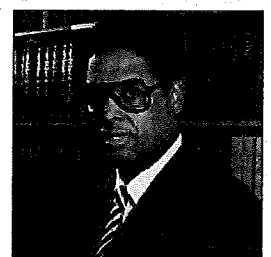
Champagne corks were popping all over campus as Dean Michael Jackson announced his resignation.

Editorial 4

Race and Culture

Dr. Thomas Sowell's latest magnum opus, the controversial *Race and Culture*, is a powerful indictment of cultural relativism, but avoids the race-based, genetics-based stereotyping that has plagued *The Bell Curve*.

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The Stanford Review

AN INDEPENDENT STUDENT PUBLICATION
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Opinions expressed herein are those of the individual authors, and do not necessarily represent those of The *Stanford Review*, unless they are expressed in the editorial space itself.

The *Stanford Review* welcomes letters from its readers on any topic. Submission constitutes testimony to the accuracy and originality of the work. The *Stanford Review* reserves the right to edit letters for space and clarity. Please include your name, address, and Stanford affiliation. Letters can be delivered to room 205 of the Storke Publications Building or mailed to: Letters to the Editor, The *Stanford Review*, P.O. Box 2343, Stanford, CA, 94309.

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Please recycle the *Review*.
Give it to a friend!

FROM THE EDITOR

Another Stupid Protest

The images on our front page are some of the most bleak and depressing that I have ever encountered. Newspapers ripped, shredded, and cast about the Main Quad like debris in the wake of some terrible storm. But what caused this was no random act of God; it was the deliberate hand of man, wielded by a group of students destroying a print run of *The Stanford Review* because they did not like what they saw in its folds. It was the cat mewing, and it was the dog having his day.

A stranger, glancing at our front page on this day, would not believe that the *Review* is an American newspaper. Certainly, the press faces distribution problems in Tiananmen Square, and occasionally some Iranian despot burns and shreds books and magazines; but isn't freedom of the press somewhat important in America?

Apparently not. Apparently, it's OK for a mob of 35 students to grab "as many papers as [it] can" and urge their comrades-in-arms to continue to "remove *The Stanford Review* from [our] racks." Apparently, President Casper can write a column in the *Daily* blasting our intentions and motives for running the logo below, but on the destruction of a student newspaper he may remain obstinately silent.

Let Casper remain silent; let his erring spirit be cowed; let him, good man that he is, do nothing, and bequeath to censorship an unchallenged dominance on this campus. But I

will not.

The protesters have played the advocate for the untrammelled destruction of newspapers, and have therefore attempted to abridge the free flow of ideas. Stanford students should be allowed to read the *Review* and come to their own conclusions about our mascot. However, in denying students the physical presence of our paper, the protesters have denied them the information necessary to make that determination on their own.

If anyone has stereotyped Native Americans in this edition of the *Review*, it is the protesters themselves, not us. Lawrence Tovar claims on our front page that our logo implies that Native Americans "express themselves through violent and grotesque facial expressions instead of rational thought." Does shredding a press run count as non-violent? Or is it grotesque, and irrational? I think I'll let Stanford students make up their own minds.

on that score.

As for the protesters . . . well, what the dog thought it was doing is beyond my comprehension. Did the protesters think that President Casper would shut us down? Let him but try, and he would ruin Stanford's national reputation as a free and open university as well as suffering a humiliating court defeat.

But Casper knows better than to try something so stupid; he knows that wrestling with the *Review* is sort of like wrestling with a pig: not only does everyone get dirty, but the pig actually likes it.

If the protesters have a complaint, then they should confront me, for I am the only person with the power to retract our logo. I have already made clear the conditions that must be met before we pull the logo; I have also volunteered to discuss and debate this topic anywhere, anytime, anyhow, but as yet I have not been taken up on this challenge.

I can only hope that in the future protesters will not resort to violence. They should know by now that their only chance of removing the logo is to come to us, and to convince us of the difference between this logo and the Fighting Irishman, the Viking, the Cowboy, the Seminole, the Hope Dutchman, the Canuck, and the Yankee.

Aman Verjee



SMOKE SIGNALS

Chaos Theory 101

Big Game rolled into town for the 97th time, but maybe the tradition should have been stopped after 96 years. Our gridiron goons lived down to Cal by fumbling everything but their jocks, drawing more whistles than Marilyn Monroe at the White House and embroiling themselves in a coaching controversy.

The Weenies



The environmentalists' favorite school finally agrees to plant real grass in their house. Once again, Cal follows in Stanford's footsteps.

Scott Frost



Ain't no Stenstrom, but did show some signs of good things to come . . . then again, also showed some signs of terrible things to come.

Halftime



Nice funnellating boys, but without The Band beating the crap out of weenies, halftime sucked. Flag-Boy, where have you gone?

Bill Walsh



What happened to the days when only Cal players were flagged for unsportsmanlike conduct? Let's get control of the team and your future, Bill.

That Fake Field Goal



Tie score, on the road, fourth quarter, fourth and two, struggling offense, you make the call. Unfortunately, Bill made the call. We lose.

OMD director speaks of her office's role

By May Mak
Staff Writer

The overall mission of the Office of Multicultural Development (OMD) is to advance the University's affirmative action goals and to continue Stanford's commitment to diversity, according to OMD Director Sally Dickson. This commitment will ensure that Stanford employers and prospective members of the institution are not discriminated against because of race, color, national origins, sex, sexual orientation, physical handicap, or medical condition.

In an open house meeting last Wednesday in Tresidder, Dickson elaborated on her department's mission and answered ques-



OMD Director Sally Dickson

tions from interested members of the Stanford community.

In addition to merely fighting discrimi-

nation, the OMD is committed to actively promoting good ideas. In other words, the OMD pro-actively provides leadership for the University in the development, implementation and evaluation of staff affirmative action matters and other policies and programs related to race, ethnicity, gender, national origins, age, sexual preferences and disability.

In order to realize its goals, the Multicultural Development Office will concentrate on three important goals: ensuring that the University complies with the Americans with Disabilities Act (ADA), with emphasis on sections 503 and 504; continuing the development of multiculturalism at Stanford; and promoting minority hiring, retention

and career development for the University staff. The OMD has also been reviewing the progress of affirmative action programs with the Deans and Vice Provosts.

One member of the audience pointed out that in recent months, the top two positions at the OMD had been demoted by one step in the University hierarchy, and asked if the OMD's influence was waning. Dickson replied that it was more important to accomplish her stated goals, and to see the office grow, than split hairs over where she was in the University's structure.

Dickson also warned people not to overestimate the power of the OMD, for the President and Provost must ratify OMD recommendations.

continued from front page

- 3) The deans or the Provost should reallocate resources to strengthen recruiting and retention efforts in departments and schools.
- 4) The Provost should increase incentives for schools to recruit and nurture the careers of "targeted minority" faculty.
- 5) The vice-provost and dean for student affairs should prepare a five-year plan for strengthening and coordinating support services for minority students.
- 6) The vice-provost should ensure that leadership is provided for coordinating and facilitating academic pipeline programs.
- 7) The Provost should appoint a committee

in autumn quarter of 1999 to evaluate the progress made by the University to that point.

According to Provost Condoleezza Rice, the report contains both good and bad news. "While we are doing better than many of our competitors," she said, "on a national level we are all doing very badly." Provost Rice suggested possible ways to attract more minority students. For example, she said that when faculty members go "on trips to other top universities — say Harvard or Yale — we are asking them to take an extra day or two and ask their faculty friends at these schools who the best and brightest of the targeted minorities are at these schools who might be interested in Stanford in hopes of increasing the fellowship pool."

Rice argues that the nationwide shortage of minority students seeking to enter Ph.D. programs often makes it difficult for a university to attract a qualified crop of applicants. She explained: "Particularly in African American communities, you hear too often that too many black students decide not to go on to professional schools because they don't see the benefit of being in academia." Often, a Ph.D. takes too long to obtain for minority students, and careers in academia do not pay well enough to make up for the extra years of study. Surveys have shown that an average Ph.D. now takes about 10.5 years to obtain, but African-Americans take 14.9 years.

Provost Rice also added that, "I believe morally that it is a very bad thing for minor-

ity communities to be isolated from the world of ideas; but it's a two way street — I can pull as hard as I can as Provost, but the communities have to be pushing to see that attaining a Ph.D. is a good thing. ... I think the incentives to be in academia are inherent in the job, but many times they are not noticed. I used to get up every day and study something I was interested in because I was interested in it — it was my own agenda — which is a benefit that few other jobs in the world can provide you."

She finished by saying that "being in academia is an exciting life — maybe the key to attracting the people we desire is talking more about that aspect of academia."

◆ Science

continued from front page

and science majors fulfilling the requirements through their requisite course work would take the sequence only if it happened to interest them.

Geology professor Gail Mahood, who, like Osgood, sat on the CUE subcommittee examining breadth requirements, sees a definite need for reform. Although she admits the present requirements can work quite well "when students choose carefully," she finds sizeable discrepancies in scientific knowledge precipitated largely by the attitudes of certain students toward the current science requirements. "Some students view them as hurdles to be gotten over," she said regretfully.

Osgood agrees with Mahood's objectives, wishing to use the new core as a means of showing mathematics "in the service of science." Stressing practical application of quantitative abilities, he said, "I want to try to improve their mathematical reasoning along with their skills."

Mahood also stated that in most science fields, practical application of knowledge comes only after considerable time investment. She said that most non-technical students who merely take introductory science classes do not leave "with anything they consider valuable." The proposed core intends to give future policy makers and business men the practical know-how they require to make well-grounded decisions in an increasingly technical and science-based world.

Cassandra Thomas, a political science major, agrees. "I would like to see it implemented for it guarantees that everyone, tech and fuzzy alike, comes out with some general knowledge," she said. "I do not think that the present DR system guarantees that non-technical students necessarily get exposed to those subjects."

According to both Osgood and Mahood, creation of the new program would require

contributions in resources from various science departments, which could create problems for some, such as chemistry, which are already heavily burdened with huge numbers of students filing through their lecture halls. They believe incentives would have to be given to both the faculty and the departments involved, in order to enlist their help in the core. Since departments vary considerably in size and burden at present, Mahood said there is, "no across-the-board commitment that has to be made" in terms of resources.

Osgood sees prompt action regarding the core as imperative. "It would be a really wonderful thing for Stanford and for the students," he stated, adding, "If it's not done now, then I don't see it coming up again."

The math professor pointed out that the courses are not intended to be an incarnation of the "Physics for Poets" concept. "It's supposed to kill it off," he said. "The idea was to make it a serious, difficult course."

Osgood warned of the perils of making the course series too dependent on particular faculty, as VTSS was, only to have the program crumble when the professors move on to other activities. He said the core "cannot be so idiosyncratic that only those people who designed it can teach it."

He believes, though, that professors would be willing to invest time and effort in the new courses if they expect something lasting to emerge from it. "Would it be worth our while," asks Osgood, "for a course that will only run once?"

While the program may require departmental foundations to allow it to last, Mahood sees a danger in placing certain tracks within the domain of their respective departments. By taking a "topical and interdisciplinary approach," she hopes to "lessen the parochialism of sticking to our own disciplines."

Provost Condoleezza Rice will appoint a design committee to consider the proposal.

◆ Protest

continued from front page

the record against the *Review's* use of the Indian, but have pointed out that there isn't much they can do legally to prohibit the *Review* from printing what it wishes. Casper suggested that the *Review* would sue the University if he were to take action against them.

Protesters, however, believe that Casper should take action no matter what the legal fallout might be. "We don't want [Casper] to censor it," said Gil Ramirez, a Native American graduate student. "This is not about free speech. ... It is [Casper's] obligation to provide moral leadership. These kinds of images have no place here."

The march culminated with protesters attaching to Casper's door a copy of a private letter written by *Review* editor Aman Verjee to Dean of Students Michael Jackson. In the letter, dated November 7, Verjee said that the *Review* has not received even one letter from a Native American student complaining of the logo, and opined that Dean Jackson's "official position does not entail the Herculean task of delivering every oppressor his comeuppance on the part of the voiceless."

Since he wrote the letter three weeks ago, the *Review* has received approximately a dozen letters of complaint from Native American students; there have also been three letters from American Indian students indicating that they are not offended by the logo.

In his letter to Dean Jackson, Verjee also wrote that in his personal opinion, certain aspects of Native American culture were "not particularly civilized." Verjee stated later that he stands by his comments, but added, "I do think that all cultures have something to contribute, and I don't advocate making

fun of people because of their cultures."

He also cautioned that a belief that "all cultures are unequally civilized" should not be equated with the belief that "races are unequal."

Verjee explained that in his opinion, his own cultural heritage — part Indian, part African — has not contributed the "material wealth, the technological progress, the advances in math and sciences, or the individualist democratic principles" that Western civilization has. Therefore, he suggested, "my own culture is barbaric compared to Western civilization."

Dean Jackson has since made the letter public, and COP member Mork Murdock is circulating huge posters displaying the letter and asking students to call him if they are offended by it. The letter can even be found on the Stanford computer network, and has found its way into the hands of reporters from the *San Jose Mercury News*, the *San Francisco Chronicle*, Channel 11 News, and the student paper at Dartmouth University.

When asked if it was appropriate for the Dean of Students to circulate a personal letter, Provost Condoleezza Rice refused to answer the question. Instead, she reprimanded the *Review's* "Smoke Signals" column. "I don't know about [Dean Jackson], but I will speak more generally about the issue," said Rice. "I don't like the 'Smoke Signals' and I actually think it's kind of silly. I think it is really not a very good thing to poke fun at something that clearly makes a lot of people very unhappy."

American Indian students intend to continue to protest until the logo is removed, and according to Tovar they are "asking other ethnic groups to also remove *The Stanford Review* from its racks."

The Stanford Review

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NOVEMBER 28, 1994

Founded MCMLXXXVII
Norm Book
Peter Thiel



EDITORIAL

Editorials represent the opinions of the editorial board on a topic relevant to the Stanford community. The board consists of the editor-in-chief, opinions editors, and three editorial writers, with additional input from other members of *The Stanford Review*.

Totalitarianism undone — for now

We got a surprise Thanksgiving present last Tuesday when the University administration agreed to render its new alumni-giving policy temporarily inactive. Implemented this year, the policy — a real turkey if we've ever seen one — prohibits student organizations from soliciting donations from alumni who have not given in the last five years. Eventually, all solicitations from student groups will be eliminated altogether, and all alumni donations will be paid into an Administration-controlled account called the Stanford Fund; money from this Fund will be given to student groups at the discretion of President Casper and Provost Rice.

The Administration has faced a storm of protest since we ran an exposé on this centralization of student group funding two weeks ago. And no wonder: the new rules have already cost Stanford in Government almost \$10,000, and other student groups are questioning the wisdom of having their purse strings drawn by a couple of bureaucrats who themselves run chronic budget deficits for the University. Furthermore, the danger exists that if Casper and Rice are to decide how much each student group gets, budgets of student groups critical of Administration policies will get cut.

Our position on the matter is unequivocally opposed to the new policy. The Administration cannot be trusted to determine a just allocation of alumni dollars among student groups; the potential to abuse power is far too great. The only just distribution is achieved by letting student groups raise money on their own, without interference; those groups that do a good job and provide a genuine service will not starve for dollars, and those superfluous organizations, surviving only because they are politically popular with an Administration willing to spread around our tuition dollars, will fold. The same principle has made free markets work efficiently for over 300 years.

If Stanford University wants to raise more money, it should simply make a more persuasive case to alumni; it should not resort to restricting competing solicitations.

Beat It

In November of 1992, when the country elected William the Conqueror to the office of the Presidency, we expected runaway inflation to swamp the country and bought an expensive case of wine to store in a safe place (off-campus, Ms. Howe, off-campus). But corks were popping this week when we heard that Dean of Students Michael Jackson and his wife, Diana Akiyama, are leaving Stanford for USC.

We are no fans of these two. After all, Dirty Diana conducted a "marriage" between two gay men in Memorial Church last spring, and then promised that more would follow. As to Dean Michael Jackson, his conduct has been even more — forgive the grammar, but appreciate the musical reference — bad. Many appropriate phrases come to our stuporous minds, but "Ding Dong, the Witch is Dead" is the most immediate. Jackson's off-the-wall handling of University fraternities has bordered on harassment, and he has left several of them in precarious situations. And we remember the time this smooth criminal dealt with a private complaint against a conservative student by widely publicizing that student's personally held beliefs, then spearheading an effort to write letters of disapproval to that student's potential employers. More recently, the King of Pop pulled this stunt again by circulating a personal letter from *Review* editor Aman Verjee; the letter ended up being quoted out of context in the *San José Mercury News*.

And one more thing: as the bubbly flows here at Stanford, we should take the time remind the generally conservative students at USC not to express themselves too freely in their New Reich: Michael Jackson is known to keep files on particularly troublesome conservative activist students. Cheers.



LETTERS

Ojibway student protests 'The Chief'

First off, I would like to congratulate you on yet another, successful publicity stunt which, no doubt, has provided you with much amusement and even more free press. I have read [Aman Verjee's] letter to Dean Jackson, your quotations in the *Daily*, and have actually become a devout reader of your publication since you first began using "The Chief." I would like to use this opportunity to say that some of your writers do occasionally provide worthwhile contributions to the free exchange of ideas. Unfortunately, you trivialize these insights with publicity stunts like the use of "The Chief" and insulting asides specifically aimed at the four ethnic centers.

However, I am not writing to critique your articles or simply to congratulate you. I am writing to you, as a registered Stanford student and proud Ojibway citizen of the Nawash Band, First Nation to formally request that you pull "The Chief" from your publication. I had hoped that this request would be unnecessary and that you would desist after failing to garner a response from the Native community. Unfortunately, your ploy has been successful, and a great "crisis" has arisen as to what we're going to do about "The Chief" and Aman Verjee. To be quite honest, I wanted nothing to do with you or "The Chief." Not because I don't find it offensive and derogatory, but because I did not want to waste my time reacting to a reactionary publication who advertises themselves as the publication that "drives the campus crazy" (*Stanford Review*, Oct. 17, 1994).

Your success, however, has forced me to respond. I understand both why you chose "The Chief" and its utility to your publication. But, please, let's not pretend that you are trying to honor Native Americans or end "venomous and unenlightened stereotypes of race ethnicity and gender" with your bug-eyed, tomahawk wielding, Pinocchio nosed "Chief." No Indian I know looks like your logo. But, that's not really the issue. The issue is why an Indian and not a Chicano, or a Black, or a Caucasian or a real East Indian? Why not Punjab the opium-smoking snake charmer? Is it because Native Americans are so wild and savage, or maybe it's because we're so noble and brave?

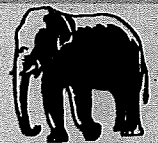
Let's get real. People choose Indian mascots for two reasons, make that three including your latest stunt. The ignorant belief that 1) Indians died with the buffalo and the ones still around aren't "real" Indians. 2) Indians are kind of like animals, wild, ferocious, savage, and sometimes noble. And thanks to you, 3) Indians can get you lots of free press.

"The Chief" has served his purpose. Let him go the way of the buffalo and let the real Indians get on with our lives. We do not want to be on your logo, or on Cleveland's logo, or on Atlanta's logo. I don't know where you got your statistics, or which Indians they polled (in the future would you please reveal your sources, so we can substantiate your claims), but I can assure you that the Indians here at Stanford do not appreciate your logo and want nothing to do with your publication. If, however, your alumni supporters are dead-set on bringing back the Indian, why don't you, Aman, be the mascot, a real Indian? I'm sure the members of the East Indian community would be honored to have you as their spokesperson; or maybe you could "honor" them with one of your spicy little drawings.

Clay Akiwenzie
Ojibway, First Nation
Sophomore, Undeclared

Republican Youth Majority

- Pro-Choice
- Environmental conservation
- Economic conservatism
- Strong foreign policy



Introductory Meeting
December 7th, 8 PM — Tresidder, Oak East

For more information call Danny at 497-0886

COMMENTARY

America in 2250: a Vision

"I just don't understand why it is so hard for you to accept," sighed Banthas, "that I do not believe in them."

He could see the anger in his father's face.

Mr. Fobi clenched his fist and pounded it on the table. "I do not see why you are being so difficult. What is there that is unbelievable? The gods inhabit everything. Our lives are good because they will it to be. The gods cannot be seen or touched; their existence is not scientifically provable, nor disputable. You have to believe, Banthas, because you have no choice: Do not turn your back on them and on your family... do not abandon our ideals."

Banthas, a typical-looking Zambezan youth of twenty-third century America, leaned petulantly against the stark white wall of the family kitchen. His arms laid across the traditional leather vest, which he habitually wore foppishly unfastened, and his eyes rolled in exaggerated imitation. "Why do I have to believe in everything that you believe in to be a member of this family?"

"Banthas, a family is a people's most fundamental and sacred unit. It is so special because, like an entire culture, its members share the same attitudes and traditions. People in the same family are bound by common ideals. Didn't you learn the story of the young man who left his family and struck out over the dunes and the mountains? Don't you remember how he lost his confidence and his sense of himself because he lost contact with the ideas of his people? Cultural education should teach you that lesson, if no other." Banthas' father was becoming less angry, but in his anger's stead grew anxiety. He could not imagine what was compelling his oldest and (by Zambezan custom) most favored son to denounce the infinite wisdom of his forefathers.

Mr. Fobi, nevertheless, was certain of two things. First, something had gone terribly wrong with the educational and political

system of the vast multicultural society of which his family was a part. Surely, Banthas had not nurtured this revulsion against his people's idols on his own; the Education Minister

Amid a thousand other thoughts, Mr. Fobi could not help but marvel: "it is miraculous that all these young adults from different backgrounds can attend school, grow and work together, and yet so valiantly resist the temptation to hate each other... or love each other."

currently a Mandarin Buddhist — had obviously not taken proper steps to ensure that Zambezan culture was portrayed with the esteem and appreciation it deserved. (And why would he? To expect that he would be as interested in Zambezan culture as in his own would be unreasonable, indeed...) Secondly, Mr. Fobi was certain that he could not

allow his son to ignore the principles of his culture, of his family, and of his ancestors. Such indulgence would threaten the fragile foundation of the larger multicultural society and the very integrity of the proud Zambezan community. Surely, he thought, Banthas could be made to see that.

The following day, intent on investigating the precise cause of his son's alarming shift in attitudes, Mr. Fobi decided to spend his lunch hour viewing a part of Banthas' class at Public School #954, which every youth within five miles was required to attend. As Mr. Fobi strode through the crowded halls of the school, he was jostled by students of every earthly complexion, all wearing — quite nearly like badges of personal merit — the costume of their particular culture. It was beyond him how the Aleutian students could bear the oppressive Los Angeles heat in their heavy sealskin jackets, but, of course, he was not Aleutian. Amid a thousand other thoughts, Mr. Fobi could not help but marvel: "It is miraculous that all these young adults from different backgrounds can attend school, grow and work together, and yet so valiantly resist the temptation to hate each other... or love each

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Ryan Bounds

Operation Senate Storm

STRIKE TWO! The Associated Students of Stanford University's (ASSU) recent stance to oppose proposition 187 marks another swing and miss, another instance where it exceeded its limitations as a student government organization. Four years ago, the ASSU Senate passed a bill opposed to U.S. intervention in the Persian Gulf after Iraq invaded Kuwait.

The issue is not whether the Senate's stance was right or wrong; it is whether the Senate has the authority to take official stands on off-campus issues at all. According to the Constitution of the ASSU, "No ASSU governing body, including the Senate or Council of Presidents, shall exercise this right [the right to represent the entire Stanford student body in non-University affairs] on matters not directly affecting Stanford students." It continues, "A matter shall be construed as directly affecting Stanford students only if there is at least one Stanford student who is affected by the matter in a substantially different manner than would be the case if he or she were not a university student."

As important as the issues of Proposition 187 and Operation Desert Storm were, one would not have been affected by Proposition 187 or U.S. intervention in a "substantially different manner" if he or she were not a student at Stanford. The Senate Bill that opposed the passage of Proposition 187 claimed that the proposition would decrease the "legal, medical, and educational rights of Stanford students, their partners, their children." True, but Proposition 187 does the same for every citizen of the state of California, regardless of whether or not that citizen is a Stanford student. People in every district and community in California would be subjected to the demands of Proposition 187; being in the Stanford community does not make the restrictions of proposition 187 any different.



Christopher Wang

Four years ago, the ASSU officially opposed U.S. intervention in the Middle East during the Iraqi occupation of Kuwait. The ASSU believed that its involvement in this national issue was justified because Stanford students were not exempted from the draft. Again, the ASSU mistakenly thought that anything that affected Stanford students in any way could constitute as University affair. Clearly, Stanford students could have been affected by a draft resulting from American intervention in the Middle East. But, people who would have been affected by a draft would have been affected in the same manner had they not been Stanford students. Why, then, does the Senate need to take a special position on the matter?

The popular misconception is that anything that affects a Stanford student in any way gives the ASSU the right to represent the student body to deal with the matter. Many things affect Stanford Students, ranging from the weather, the economy, to the Clinton administration. What everyone seems to ignore is the part of the constitution stating that an issue directly affects Stanford students if and only if the matter affects the Stanford student in a way that would have been otherwise if he or she were not a student at Stanford. This misconception is clearly reflected by Council of Presidents member Mark Murdock's statement that: "... it is the sole responsibility of the ASSU to represent students on issues which affect them as Stanford students — even if it means only one student." In his statement, he focuses on the aggregate effect an issue has on Stanford students, not the effect it has on students above and beyond the effect it has on other citizens.

Without considering a strict constitutional interpretation, should the ASSU advocate issues with state and national magnitudes? To answer this question, one should think back to how and why these ASSU Senators and Council of Presidents were voted into office in the first place. Did we vote for the members of our student government for their ideology, convictions, or interpretation of state, national, and international politics? No, we voted for

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FOR THE RECORD

✓ Well, the Council Of Pukes has done it again. Just when you thought that they had defined the outer limits of human incompetence, they set a new standard last week by asking for the resignation of Publications Board Director Danny Bressler so that Anietie Ekanem could take over. The COP has since reversed itself, narrowly avoiding a publications revolt in the process. Bressler is committed, qualified and wildly popular. He has served the Pub Board for two tremendously successful years: one as deputy to the very able Stephen Russell, and one as director himself. During this time, the number of publications has soared from 10 to 19, and distribution capabilities and facilities have been improved tenfold. In our estimation, there are University matters more pressing than the successful Pub Board, and the COP should turn its attentions elsewhere.

✓ Nice campfire last Thursday, but maybe we should be more careful next year. On three different occasions during the campfire, insects flew into the inferno and tragically died. When will this human terrorism of the planet stop?

✓ It is no secret that the academic standing of some football players is not up to snuff, but many people have been willing to forgive those shortcomings. However, with the team losing and some players behaving like absolute goons (the type of behavior you would expect at Florida State or Cal), you have got to wonder whether sacrificing academics is such a great idea. The biggest shame is that just a handful of players are dragging down the rest of the team, which is stocked with an overwhelming majority of legitimate student-athletes. Remember the lesson learned at Big Game: the chain is as strong as its weakest link.

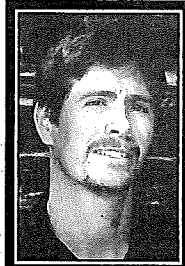
✓ The Islamic Student Association felt compelled to hand-out disclaimers at Flicks last week so that no one at Stanford would confuse the villains in *True Lies* with real Muslims. Praise be to Allah that they did so, for without their input we would have been completely fooled by the Cameron's believable style.

✓ If a fat, loudmouthed comedian is placed in a deprivation tank for an extended period of time, will he turn into a super-model?

COMMENTARY

Why 'Gay Liberation' Defies Natural Law

Several Stanford students are now being prosecuted for pouring paint on the Gay Liberation sculpture on campus. This is appropriate. Crimes against property must be punished and art at its best is a most valuable form of property. But consider an alternative scenario. If Stanford afforded pro-life activists a central place on campus to install a sculpture depicting abortion as murder there would be a fire-storm of protest. If pro-choice activists poured paint on such a sculpture and the University pressed felony charges, the property damaging protesters would be regarded by many as heroes and martyrs.



Alec Rawls

What makes the two cases so different? Only a conviction on the part of some people, and acceptance by most, that depicting gay liberation is politically good while attacking a woman's freedom to choose abortion is politically bad. But is Gay Liberation good political art? One obvious consideration is whether a particular piece of art as politics is efficacious in promoting the ends it seeks to promote, and here I think Gay Liberation falls on its face. Does it really make sense to try to win acceptance for homosexual displays by trying to force them before the public consciousness? Natural philosophy and common sense should give us pause.

Let's be honest. Human beings have an instinctive revulsion to homosexuality, much as we have an instinctive revulsion to certain smells, and for the same reason: that our species, like all others, has evolved instincts to avoid a wide variety of substances, threats, and activities that are detrimental to our survival and reproductive success. We also have open-ended faculties of intelligence, capable of seconding or vetoing our instinctive judgments, but our instinctive judgments are unavoidably with us.

In the case of homosexuality, rationality tells us that, however much we might be glad to second our personal rejection of homosexuality as regards our own sexuality, we should want to temper the revulsion we feel for those who turn out to have gotten their libidinal wires crossed. The fact is, they have got their wires crossed, and there is nothing to be gained by despising them and much to lose. Homosexuals still are human beings, whose lives are valuable for the same reasons that other people's lives are valuable: because they have the same open ended moral intelligence that other's have, capable of discovering what there is to value in the world, and of pursuing it.

The question, then, is, if the goal is to increase tolerance for homosexuals, does it make sense to draw attention to what it is about homosexuals that makes them repulsive to others (their sexuality) rather than to what really matters (their full endowment of intelligence and humanity)? Would we think of trying to increase tolerance for those who have their wires crossed about what smells foul by filling up a planter in the quad with foul smelling things? More likely the result would be an arousal of repulsion, and I suspect that the effect of the Segal tableau is similar.

When repulsion remains an abstraction, then rationality has home court advantage and can more easily determine how a

person will feel about homosexuals and want to behave towards them. The ideal for promoting the politics of tolerance would be for repulsion to remain an abstraction while the common humanity of homosexuals is displayed. It is not impossible for this common humanity to be displayed by gestures of affection, but the arousal of repulsion always carries a cost, making it harder for people to accord full value to the welfare of homosexuals.

Most gays recognize this and are even more circumspect than heterosexuals about displaying their affections publicly. Presumably, few of them would condone the constant and entirely gratuitous display of public homosexuality in the Segal tableau. Sure, the tableau represents a nice utopian idea for homosexuals: a world in which their sexuality does not repulse. But that is not our world, and gays who are rational do not want to pretend otherwise.

Those activists who want to excite attention to their sexuality are partly just obstreperous, I think: "We know it is counterproductive, but we like these smells that others consider foul, and we are going to make them wherever we want." But while such motivations cannot help but get thrown into the mix, I think most homosexuals who favor a bit of social engineering like the Segal tableau do so on the premise that attitudes towards homosexuals are not innate but are "socially constructed."

If repulsion to homosexuality were socially conditioned, then exposure to homosexual relationships might provide a countervailing desensitization. Instead of arousing repulsion and leading to allergic reactions, such exposure might serve to inoculate the body politic against repulsion. But this is a most dangerous kind of wishful thinking. There is every reason to believe there should be a strong innate revulsion to homosexuality. What could be more critical to reproductive fitness? And any device that is evolved to make homosexuality personally repulsive is going to make it repulsive to think about or observe in others.

Sometimes ancient Greece is cited as proof that attitudes towards homosexuality are socially constructed, but anyone who has read Plato's Symposium knows that Greek homosexuality was pederasty, which provides an explanation for the extent of the practice. Modern clinical reports demonstrate that sexual abuse propagates — that abused youngsters have a very strong drive to abuse others. Far from showing that sexuality is socially constructed, the example of ancient Greece is explained by the strength of heterosexual repulsion to homosexuality, seen in the strength of the obsessive pathology created by the homosexual abuse of adolescents. That such a cycle of pathology once apparently spread to infect much of a nation is one of the saddest stories in human history.

Most homosexuals reject the social construction nonsense anyway. They know that their own sexuality is immanent to themselves — that it is not something they got from society or that society can change. Does that mean that the dogma of "social construction of sexuality" that is so prevalent amongst left-leaning homosexuals and other academics is pure intellectual dishonesty, embraced as an excuse for unrestrained social engineering? Not entirely, because there really is a conundrum for ho-

mosexuals about the source of repulsion to homosexuality. This arises from the most painful subject of all for homosexuals — their terrible self-hatred. This self-degradation, it would seem, must come from society, because if a person's wires are crossed, he should feel repulsion at the thought of intimacy with the opposite sex, not repulsion at his own sexuality.

The simple biological explanation simply does not work for self-hatred, and, if the self-hatred homosexuals go through can only be explained as socially constructed, it is plausible that the revulsion others feel for homosexuality could also be a matter of social conditioning. It is tempting for homosexuals to think that hoisting their flag and pushing awareness of homosexuality into the public consciousness is the strategic thing to do, just as it is tempting in battle to pour through a breach, but beware the cul de sac. Social construction of feelings about homosexuality in others is hardly more plausible than social construction of one's own sexuality. In our hearts, each of us knows that his own sexuality is not socially constructed, and one's gut reaction to homosexuality is part of one's own sexuality. There has to be an explanation besides social construction for this conundrum of homosexual self-hatred, and I believe I know what it is.

Natural selection has obviously not been able to perfect the coordination of sex with sexual orientation during the complex developmental stages of the human being, particularly in the womb. Now put this together with the fact that few things are as crucial to reproductive success as this alignment. This combination of natural facts necessarily creates a huge reward in terms of fitness for backup mechanisms capable of enforcing the alignment between sex and sexual orientation. Homosexual self-hatred is, I believe, such a backup mechanism.

A backup mechanism is forced to work in a circuitous way. It cannot just instruct: "hate your sexuality and try to suppress it if you turn out to be attracted to the wrong sex," because the homosexual's conception of the "wrong sex" will be backwards. With the direct approach closed off, any feasible backup mechanism would have to employ social clues. It would have to instruct: "if your alignment of sex and sexual orientation turns out to be different than the norm, then hate and suppress that sexuality and try to adopt

the dominant alignment." Stated more simply, we would have a powerful drive to conform.

That works, and since the reward in terms of fitness for such a mechanism would be huge, it would in fact have evolved if the design possibilities throughout our evolution have been amenable to it. Again, these are simple natural facts. When we turn from hypothesis to evidence and look for such a mechanism in the world, we discover a Tyrannosaurus Rex staring us in the face.

A house-mate of mine once said something that perfectly captured my own experience and perceptions about youth and adolescence. I think it is the profoundest truth. He remarked to me how striking he thought it was that children seem to reach a kind of first adulthood before adolescence where they attain (to the extent that they have the necessary intelligence) a wisdom of perspective, despite large gaps of knowledge. They gleam with intelligence about how to weigh things and how to reserve uncertainty, and how to look out across the world. Then, when they reach adolescence, this first adulthood gets crushed under a cascade of chemicals. In particular, independent judgment is razed and replaced with the most slavish conformity and social consciousness.

Is it purely coincidence that such a transformation should accompany sexual awakening? I don't think so. I think we are programmed to become acutely aware of our conformity, and in particular, acutely con-

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them because of their views on University affairs — such as improving the postal system at Stanford and creating a new, combined identification and meal plan card. We were never told that they would represent us with their interpretation of national or international issues, and we the student body never delegated the power to represent us on state and national issues to the members of the ASSU. Indeed, the ASSU's official stances towards off-campus issues violate the fundamental principles of representation.

Explicit in a system of democratic representation is the notion that the governing body reflects the interests and demands of the electorate. Hence, policy and goals should arise from "bottom to top." The Senate Bill against Proposition 187 states, "Be it resolved, that the Senate of the Association encourages the students of Stanford University to vote against it." This approach by the ASSU assumes a "top to bottom" strategy where the interest of the representatives imposes its will on the represented.

The ASSU is exceeding its powers by claiming to represent students' interests in issues of state and national scope without any legitimate foundation. In the future, let's hope the ASSU improves its ability to judge when it truly has the legitimate right to represent the student body, so that they won't strike out and force us to launch Operation Senate Storm.

Christopher Wang is a sophomore majoring in International Relations.

ARTS & LEISURE

"The One He'll Be Remembered For"

As an author, Dr. Thomas Sowell is one of the most prolific raconteurs of race and culture that history has ever seen. As if two weekly columns — one syndicated, one exclusively for *Forbes* magazine — weren't enough, the Senior Hoover Fellow churns out a book a year on everything from higher education to the economic plights of discrete minorities in 20th century America.

Demonstrating a willingness to tackle controversial issues — and an ability to come to conclusions based on a systematic, exhaustive analysis of the facts — is old hat by now to Sowell, but in his latest book, *Race and Culture*, he has succeeded in producing a tome that will undoubtedly raise the eyebrows of even those readers accustomed to his forthright style. Many have touted this volume as Sowell's magnum opus — the one, as the infamous Ed Wood once said, that he "will be remembered for."

That's high praise indeed, especially as it applies to a man worlds more talented than Wood: Sowell is, after all, one of the three or four leading historical economists in the world and a serious contender for a Nobel Economics Prize within the next ten years. And yet, a careful reading of *Race and Culture* shows why it has been so well received: the book is simply a revolutionary work. It provides a new and fresh perspective on several issues that most writers fear to touch.

In *Race and Culture*, Sowell defines culture as a particular people's "set of skills for dealing with the economic and social necessities of life," and then goes about examining the profound changes cultures can impart on each other when they come into contact and why some cultures appear to have been more successful than others.

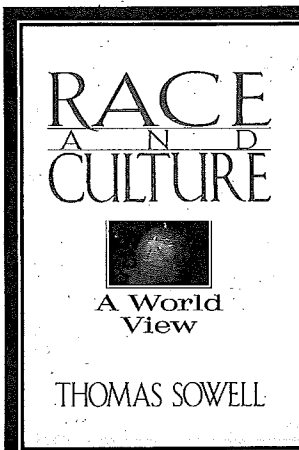
Emphasizing the need to view the performance of cultures in a global view — for "cultures are not erased by crossing a political border" — Sowell cites specific examples of groups of immigrants who, though dispersed around the world, have assumed similar roles in society. Chinese were the predominant retailers in Jamaica, the

Philippines, Malaysia, and Thailand. Italian fishermen excelled in diverse locations such as the Mediterranean region, Australia, and San Francisco. Germans have held prominent leadership positions in the U.S. armed forces this century, just as they did in the Roman legions two millennia ago.

The reason for specific racial groups performing similar roles around the globe is simple in Sowell's opinion; the traditions, values, and abilities, which he collectively calls "cultural capital" of these groups, dictate what activ-

science and industry in the late twentieth century, he concludes that the Japanese people are quite receptive to adopting technology created by other cultures and, in many cases, improving upon it. Most of the third world, in contrast, has proven less willing to adopt technology or to be anything more than a passive recipient of it.

Sowell's view of culture explains not only the economic status and roles of various groups, it also provides a logical reason for the apparent disparities between the IQ levels of different races. Invoking a warning given by



"However, even to say that mankind has advanced, if only in particular spheres, is to say that some ways of doing things — some cultures — are *better* in some respects than others, that they are more effective for particular purposes."

ities they would best perform. If a cultural group has the specific combination of necessary factors to excel in piano-making, it would be ridiculous for them to all be proctologists.

Sowell asserts that since it is quite apparent, especially in today's high-technology world, that no cultural group can live in complete isolation, interaction between groups and the sharing of certain aspects of cultural capital is the rule, not an exception. This, he insists, has helped lead to the advancement of mankind as a whole. "However, even to say that mankind has advanced, if only in particular spheres," cautions Sowell, "is to say that some ways of doing things — some cultures — are *better* in some respects than others; that they are more effective for particular purposes."

A primary ingredient for a predominant culture, says Sowell, is its willingness to take aspects of other cultures that are better than its own and master them. This willingness to change, or "cultural receptivity," has been demonstrated many times throughout history. Sowell reminds us that the cultures of the West abandoned Roman numerals in favor of Arabic ones. Why? Because the latter are simpler to write, require less space, and provide less opportunities for error than the former. In short, Arabic numerals are better and the cultures of the West acknowledged this by being receptive to them.

Taking cultural receptivity a step further, Sowell provides a sensible explanation for the economic chasm between the first and third worlds. Some groups of people, he asserts, are more receptive to transfers of technology than others. Citing Japan's rapid transformation from a pre-Commodore Perry technological desert to a leading innovator of

Cicero that Romans ought not buy British slaves because they are too hard to teach, Sowell acknowledges that there are undeniable differences in IQ levels by race, a fact he supports by numerous references to trends in IQ exams and the Scholastic Aptitude Test that go along racial lines with little regard to the economic status of the individual.

Yet in regard to these varying levels of IQ, Sowell states, "All differences between groups that are genetically different are not genetic differences." Cultural capital plays a large part, he insists, as different cultures emphasize different views and methods of utilizing the mind. For example, Gaelic-speaking children of the Hebrides Islands performed as well as English-speakers in questions dealing with informational items, but trailed behind them in problems involving abstractions. For Sowell, the issue at hand is not what is in your genes, but what values your culture stresses.

In addressing an issue that has proven as of late to be slightly controversial, Sowell tackles the topic of immigration and culture. Cultures, he contends, not only are shaped by their environments, but can also reshape the environments to which they are transported. If both groups are culturally receptive, the ensuing possibility of technology transfer can be mutually beneficial. But, Sowell acknowledges, immigration does have its drawbacks. While immigration does not typically decrease the total number of jobs available to the population as a whole, it does often decrease the average amount of salaries, leading to an increased reliance of natives on the benefits of the welfare-state.

Responding to the many individuals who call upon the government to level the playing field for the so-called "downtrodden" minorities, Sowell replies that there is only so much any government official can do. "Goals which depend upon creativity, skills, thrift, work habits, organizational abilities, and technological knowledge in the population at large are much less within the power of incumbent officials to achieve within a politically relevant time period."

Not only does Thomas Sowell fearlessly address sensitive topics of race, genetics, and cultural orthodoxy, he does so in a logical, well-documented manner. Guaranteed to surprise you in some places, and possibly make you rethink your preconceptions in others, *Race and Culture* is a must-read for any individual interested in racial status and relations.

— Eric Jackson

Points of Blight

"[Stanford's Western culture courses] seem to perpetuate racist and sexist stereotypes and to reinforce notions of cultural superiority that are wounding to some and dangerous to all in a world of such evident diversity."

Area One Task Force, 1988

"What we are proposing is not completely in line with the First Amendment. But I'm not sure it should be. We at Stanford are trying to set different standards from what society at large is trying to accomplish."

Unidentified ASSU Senator, 1989

"Taxes, after all, are dues we pay for the privilege of membership in an organized society."

Franklin D. Roosevelt

"Religion is the opiate of the masses."

Vladimir I. Lenin

"To play billiards is a sign of misspent youth."

Herbert Spencer

"We communists are like seeds, and the people are like soil. Wherever we go, we must unite with the people, take root, and blossom among them."

Mao Tse Tung

continued from page 5

other." He was tremendously relieved that this was possible.

The portion of the curriculum that Mr. Fobi saw was an exploration of man's origin from the perspectives of the African cultures. As he feared, the Zambesian outlook was woefully misrepresented by the South African guest-lecturer, who was personally responsible for teaching all 75 of the acknowledged African cultures that day. Despite the best of intentions, the Zambesian perspective was portrayed as merely superstitious and irrational, and it lacked the poetic justification for the belief system which had been passed down from father to son for three hundred generations. Most distressingly of all, the lecturer spent only half as long on the Zambesian view as he did on those of western and southern Africa (the latter two cultural regions were, in Mr. Fobi's view, mostly the same, anyway). "How," he despaired, "is Banthas supposed to appreciate and remain loyal to his own people, when their culture is so unfairly presented? It is no wonder he does not believe — no wonder that he embraces the godlessness of the western and southern peoples."

Mr. Fobi returned to the Regional Tribunal, where he worked as a judge. It was Mr. Fobi's particular duty to preside over the trial and sentencing of any fellow Zambesian who was charged with a crime, just as it was Mr. Andreassen's duty to dispense justice to his fellow Danes. The days of expecting a person to receive a fair trial from a judge of a different race or creed had vanished with the New Enlightenment. It was, in Mr. Fobi's day, unquestioned that a person should be judged and punished only within the context of his own cultural upbringing, a factor of which a person of a different race or creed could not hope to have an adequate comprehension, despite the best efforts of Cultural Education. This realization was the foundation of the new social system, and the pride of every modern thinker.

At the end of the day, Mr. Fobi returned home. He had been pondering the previous evening's conversation with Banthas, and decided that the best course would be to reveal to his son the danger that his novel beliefs held for Zambesians and for the larger society. Mr. Fobi walked into the recreation room, where he found Banthas watching a French comedy on the wall-sized monitor. He addressed his son with an air of understanding and support, "Banthas, I have realized why it is that you do not believe what your mother and I see as the truth. By the short-sighted design of that Mandarin Minister of Education (his voice assumed an inevitable sneer), Zambesian ideals have been shown as silly . . . perhaps as unimportant. You see value being placed elsewhere, on other African cultures and the Chinese cultures. It must confuse you, I understand that." Mr. Fobi held his breath, waiting for the response he knew to be forthcoming.

"Father, I do admit to being confused, but I cannot force myself to believe all that you and mother believe. What difference does it make anyway?"

"It makes all the difference in the world, Banthas. For the same reason that a Zambesian can never marry a person of Greek or Cambodian descent, you must not surrender the ideals of your people. To do so would hasten the dissolution of our proud and independent culture, and, as the gods would have it, nothing is worse." Mr. Fobi sighed and continued: "Before the New Enlightenment, everyone thought as you did. Premium value was placed on personal success in a society dominated by one culture. Myopic policies and lust for personal indulgence brought many great cultures to their destruction as they melted into the traditions of the dominant people. But, with the New Enlightenment, these cultures were rediscovered and their value finally appreciated. The education that you receive and the laws on which I rule reflect our society's commitment never to allow another culture's destruction. Culture is no longer merely man's expression of himself, but the end of man's actions."

"Father, I know all about the New Enlightenment," Banthas insisted, "but what does this have to do with me?"

"Banthas, it means that you will learn to believe in the gods. It means that you will go to the temple with your mother and me. It means that you will not watch any more of these ludicrous French comedies — for they obviously steer your mind in the wrong direction. If you, Banthas, are allowed to abandon the righteous ideals of the Zambesian people, then all who are educated incorrectly by our required schools will abandon them, as well. Our culture — our people — would be no more. All this because you presumed to express your beliefs instead of those of your parents and your neighbors."

Banthas rested his head on his hand as he slouched in his chair. With a languid motion he pressed a button, and the image of the laughing Frenchman faded from sight. He turned and watched the stern figure of his father as it marched silently from the darkened room.

Banthas sat for at least a quarter of an hour in the empty room, ruminating over his situation and the unfortunate but unequivocal signs of dementia he perceived in his father. Then, possessed by nothing but his will to do things his own way, Banthas went to his room to perform, perhaps for the last time, what had become his favorite self-indulgence. He locked the door to his room and quietly, oh so quietly, played a recording of an English rock band (whose music was the very antithesis of Zambesian pipe music). With swift and furtive movements, though he knew the door was locked, Banthas shed the brown leather outfit which was the hallmark of the proper Zambesian and donned a pair of faded denim jeans and a plain white t-shirt. After admiring his appearance in the mirror, Banthas left his room, sneaked out of the house, and headed resolutely toward the center of the metropolis to pretend — if just for a day — that he was not Zambesian, after all.

Ryan Bounds is a senior studying psychology. He is the opinions editor of *The Stanford Review*.

◆ Rawls

continued from page 6

cerned for the conformity of our awakening sexual urges, as a biological backup mechanism for inducing heterosexual behavior. Our crushing adolescent drive to conformity causes a great deal of misery, and not just for homosexuals, but genes that can produce such a drive have a clear selective advantage, getting passed on by those homosexuals who it can induce to act heterosexually.

If I am right about this, the biological forces allied to create repulsion towards homosexuality and self-hatred in homosexuals are powerful indeed, and any social engineering attempt to ameliorate these forces must pay close attention to how the driving biological forces are likely to operate. If social conformity in adolescents (including the eerily perennial

conforming non-conformity) really is a backup mechanism for enforcing sexual orientation, there may be some scope for ameliorating hatred and self-hatred of homosexuals by including them in the social mix. When conformity is the driving force, the mere presence of a thing can make it acceptable. The example of ancient Greece certainly proves this, if even a pathology like pederasty can become socially acceptable if only it propagates sufficiently.

But if this mechanism for increasing tolerance is to work, homosexual awareness must be introduced in a way that does not excite the primary mechanisms of repulsion towards homosexuality that will be active in those who do not have their wires crossed. Otherwise, this excited repulsion could well become the norm. Wisdom would be to target attention so as to emphasize the valuable humanity of homosexuals while dwelling as little as

possible on their problematic sexuality.

One would hope that some way can be found to ameliorate the self-hatred that leads many homosexuals even to kill themselves. At best, this is how one can see the Segal tableau — as reaching out to those who are struggling with self-hatred induced by their drive to conformity and saying "there is a place for you". How far this timid display of four geeky pallid ghosts sporting a 70's homosexual chic goes to deliver such a message I don't know. I hope it is a comfort, but as a call for toleration I think the tableau is ill judged.

The fact is, very few people have anything but good will for homosexuals. I suspect this is true even of those students who vandalized Gay Liberation. Listen, you with your wires crossed: we moderate our instinctive revulsion to your instinctive natures out of regard for your larger worth. We just don't like being repaid for this ef-

fort by having our noses rubbed in what we are trying to moderate our negative reaction to. What ever happened to common sense?

Homosexual activists pretend it is unfair if their situation is not symmetric with that of heterosexuals — that it isn't fair if their sexuality does not enjoy the same public acceptance. But fairness is not about equality, it is about mutuality, which means accounting all value, which means accounting the reasons why things are different for homosexuals. Homosexuals got stuck with a sexuality that their and our biological mechanisms are trying to stamp out. We are glad to try to alleviate their difficulties, but reciprocity requires accounting the special problems their situation raises and trying to solve them from their side as well.

Alec Rawls is pursuing a Ph.D. in economics.

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The Stanford Review

VOL. XIII, NO. V

AN INDEPENDENT STUDENT PUBLICATION

November 7, 1994

Stanford's Incredible Shrinking Diploma

Our generation will be the first in American history whose educational skills will not surpass those of our parents. We will not even approach equality with the previous generation, despite appropriating four times as many real dollars for our studies than any other generation previous.

There is a reason for this: the not inconsiderable school of talkers in charge of our schools and universities is responsible for implementing a vast array of misbegotten educational policies, the several stupidities of which maintain such a synchronous body politic that they refuse to let anything sane intermingle with them. The current prostration and dejection in our schools is but a necessary retribution for the folly of these men and women, for their insufferable arrogance, for their desperate, unprincipled, headlong gambling and jobbing which has disgraced our country and polluted academia.

For years, Stanford University led the way in implementing destructive educational policies. The radical politicization of the academy in the 1960s and 1970s led to wholesale revisions of the curriculum, and works of enduring merit by William Shakespeare, John Locke, David Hume and Adam Smith have been supplanted by fleetingly popular contemporary works of oppressed minorities who have presumably suffered through multiple vectors of oppression. Even when a CIV track does deign to read a John Stuart Mill, it uses not his magnum opus on *Utilitarianism* but his lesser tract on women's rights; and if any vestige of Shakespeare appears in Freshman English it is *The Tempest*, whereupon the rage of Caliban is invariably used as an instruction in Western imperialism.

But beyond The Politics, there have been other invidious trends in academe. The purpose of this special issue is twofold: first, to expose the legion of sins Stanford has committed against academic probity; and second, to offer constructive, forward-looking reforms that will restore Stanford to its rightful place as the world's best university. While President Casper deserves credit for helping to bring back the 'F' and implementing an early decision admissions plan, he should heed our recommendations for the road ahead is long and tortuous.

As Eric Jackson details on Page 10, the 'F' alone will not change the spirit of our grading policy. There is a sturdy and rugged passion for equality in the human heart that incites us to wish all to be powerful and honored. It is this passion that elevates the humble and meek to the ranks of the great: it is the spur of academic success and the means where-

by the disadvantaged may become empowered. But there is also a depraved taste for equality among men which impels the weak to attempt to lower the successful to their own level. This egalitarian sentiment reduces men to prefer equality in mediocrity to inequality in excellence. It is this compulsion that has driven Stanford's grading scheme, which visits the 'A' upon nearly 60 percent of its students.

And though an early decision plan will increase our yield rates by 3 to 5 percent, the admissions process remains broken. Merit remains a woefully inadequate determinant in University admissions: on Page 4 Ed Malone exposes the extent to which legacies are given special treatment. In a center-spread special feature, Aman Verjee makes a powerful case that "targeted minorities" enter Stanford with lesser academic credentials than non-minorities, and that as a result their grades are substandard. He then goes on to recommend affirmative action based on socioeconomic status instead.

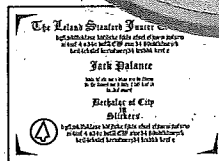
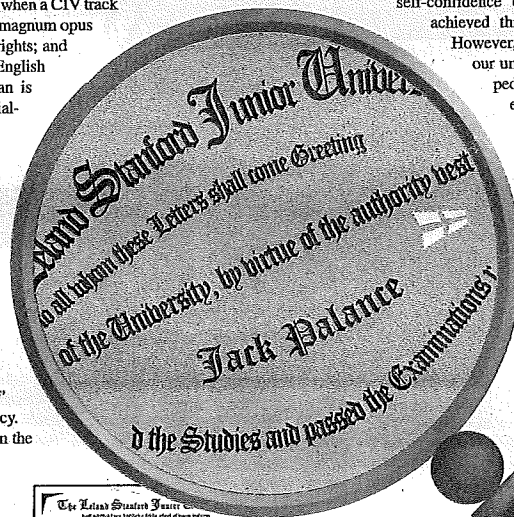
On Pages 14-5, the Winds of Freedom outlines four recommendations which would adapt a traditional liberal arts education to the 1990s by focusing on merit and character, not ethnicity or gender, as the relevant educational descriptors. After all, more than a few

of us yearn for *self-esteem*, but the individualists among us recognize that true self-confidence can come only through personal accomplishment achieved through their talents, honest plod and fair industry.

However, the not inconsiderable school of talkers in charge of our university has forgotten this precept: they prefer to visit pedigrees upon disadvantaged groups so that the self-esteem of all students may be assured upon self-identification with an ethnic minority or oppressed gender.

In effect, the University attempts to do for minorities what hereditary nobility did for European élites in medieval times. The nobleman wished for access to aristocracy through the accumulated majesty of a long family line; similarly, ethnic minorities and women snatch the unwieldy crowns of race and gender for a coronation. This has long been the appeal of the KKK, and the Nation of Islam: groups are innately aristocratic, and membership in such a group instantly allows one to ascend to an elite produced by a long history of group engagement.

Only if we resist to the alluring proposition that race and gender are intrinsically descriptive, not merely ascriptive, characteristics, will we make gains in admissions policy and the curriculum. We hope that the not inconsiderable school of talkers will take a moment to heed our special issue before it is too late.



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The Stanford Review

AN INDEPENDENT STUDENT PUBLICATION
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THE STANFORD REVIEW

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Please recycle the Review.
Give it to a friend!

LETTERS

Smoke Signals offensive, insulting

I noticed that you have a column entitled "Smoke Signals" complete with a caricature of an American Indian. The content of the column is not my concern. Rather, it is the long established offensiveness of its logo.

Why would you, a Stanford student organization, knowingly insult other students?

James Lyons

Dean Emeritus of Student Affairs

I write to request that you reconsider the use of the caricature of the American Indian that appears as a symbol above your new column called "Smoke Signals." This caricature is hurtful to many members of the Stanford community and directly contradicts one of the stated principles of *The Stanford Review's* October 3 issue: "Also, we are committed to free and rational discourse, to ending venomous and unenlightened stereotypes of race, ethnicity and gender."

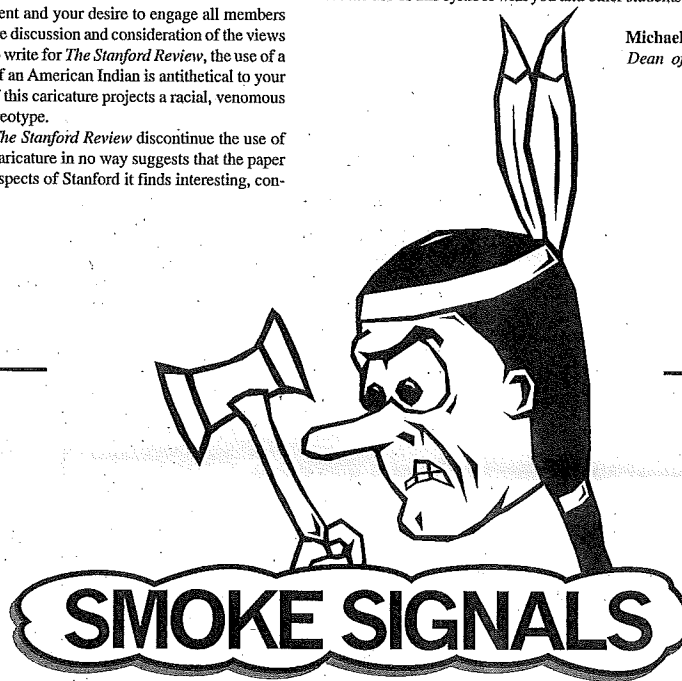
Given this statement and your desire to engage all members of the community in the discussion and consideration of the views and ideas of those who write for *The Stanford Review*, the use of a degrading caricature of an American Indian is antithetical to your own goals. The use of this caricature projects a racial, venomous and unenlightened stereotype.

My request that *The Stanford Review* discontinue the use of the American Indian caricature in no way suggests that the paper stop commenting on aspects of Stanford it finds interesting, con-

fusing, and/or misunderstood. I do not request the paper stop critically examining those aspects of Stanford with which your writers disagree and want to discuss in a public forum. My request is that the paper maintain high standards of decency, fair play and integrity.

I hope that you will seriously consider this request. I would welcome an opportunity to discuss my concerns and your ideas about the use of this symbol with you and other students and staff.

Michael Jackson
Dean of Students



CUE ball, right corner...

After considerable coffee and cookies investments, the final report of the CUE is out. The Chief, with his keen eye for detail and his tomahawk to chop it up, read it and came to these conclusions.

The Science
Core



Whoa, baby...light my fire! Another year long 'core' requirement. Maybe I can begin my major classes junior year.

Academic
Bookkeeping



Attention Dr. Anderson: Imposters on the football field no longer get credit for playing ball. No more yachting for units either.

The
Minor



Finally, a reward for pursuing academic interests outside one's major. Maybe even FemStud will pick up a few "students."

DR
reform



One: far too many areas. Two: too few classes in each area. Three: can't take 'em P/NC. Four: DR's are life support for bogus disciplines.

The
Future



Many good ideas, but short on logistics. Will the Report collect dust in the Green Stacks, or hold the University's hand during change?

COMMENTARY

The Aftermath of Indirect Costs

Over the past four years, an indirect cost scandal has plagued the University. It has loomed over us like a shadow, cost us millions of dollars, and claimed as a casualty the career of former President Donald Kennedy. Last month, the University reached a settlement with the Office of

By Lucas Mast

Naval Research that was among the most favorable of scenarios imagined in 1990.

In interviews with both Kennedy and current President Gerhard Casper, reflections ranged from relief and vindication to uncertainty regarding both a pending lawsuit and the ultimate damage suffered by our university. Both Casper and Kennedy spoke candidly about their personal involvement and what may lie ahead: a *qui tam* suit that is being brought against the University by Paul Biddle, the former Office of Naval Research officer who was in charge of the indirect cost negotiations with Stanford. While the recent settlement with the Office of Naval Affairs concludes that "[the Navy] does not have a claim that Stanford engaged in fraud, misrepresentation, or other wrongdoing with respect to the memorandum of understanding," the pending Biddle suit leaves a sour taste in the mouth of what should be a symbol of closure.

Before the suit can proceed to trial, Biddle must establish that he has standing to sue. "The issue is whether I, in my position at Stanford from 1988 to 1992 created a conflict of interest by auditing the university [special investigators and auditors have been deemed not able to bring suit in this case]. But my capacity was merely an advisory position—I never conducted any auditing myself," Biddle asserts. If the judge concurs in this matter, which will be before the court within the next six months, the court would then deliberate on the damage claims pressed against the University.

President Casper maintained that the victory obtained by the university of settling all claims brought by the Office of Naval Research is clearly independent of the Biddle suit. Casper pointed out that Biddle has a tough road to hoe, especially since last November the Department of Justice refused to join the *qui tam* suit, which, according to Casper is "a right for them to exercise if they feel that fraud was committed." On this issue, Casper also stated that "the Department of Justice does not issue a statement saying 'We did not find fraud,' but we must conclude that they did not think that this was a good case for them to take over." He further stressed the fact that "the suit has lost all of its meat" due to both the Department of Justice's decision and the recent settlement, which concluded that no wrongdoing was done by Stanford in the eyes of the Navy.

Former President Kennedy had a similar view of the suit being waged by Biddle, saying that he believes that it will be difficult for Biddle to persevere in his efforts. He is skeptical that they will be able to stay the course and even more skeptical that they will succeed in it.

Despite the optimism demonstrated by President Casper and Donald Kennedy, Paul Biddle is upbeat and optimistic that his efforts will be successful. He pointed out that his chances of winning were boosted considerably by *Fine v. Chevron*, a recent case in the Ninth Circuit Court. In this case, Harold Fine, an auditor for the Department of Energy, was granted standing to sue a private corporation for damages. Judge Edward Levy, who authored the opinion of the Court, set a precedent that will be applicable for Biddle because the facts in *Fine* are almost identical to those Biddle case. The situation is particularly good for Biddle's chances because *Fine* was heard on appeal, and thus carries greater precedential value than if it had been heard under original jurisdiction.

In what was obviously a difficult period in his time at Stanford, Kennedy was forthright in his discussion of the scrutiny that Stanford got from all sides—the media, governmental officials, alumni, and current faculty. He stated that the hearings pertaining to the indirect costs charged to the government determined that the charges "a series of expenditures which were technically allowable—our controller and the naval staff allowed them as so—but that looked as though the government shouldn't have to pay for them."

Kennedy admits that the confusion and miscommunication that was pervasive during the time period caused them to remove many indirect costs which the university personally felt were questionable. But this action went virtually unnoticed by the media, which was so focused on the fact that our

prestigious institution was embroiled in a controversy that attention to corrections and facts often got lost in the frenzied spin of the scandal.

Former President Kennedy also addressed the most media-glorified aspect of the scandal: the infamous yacht. When I questioned Kennedy about this, he stated in a charged tone that the yacht was "one of a few mistakes which was put in a depreciation pool that drew indirect cost recovery—and that was a flat-out blunder." But Kennedy also maintained that we "owned up and corrected these mistakes, but again got a hard time in the press about it."

Another aspect of the indirect cost settlement which is as yet unresolved is the pesky persistence of Congressman John Dingell (D-Michigan), the chairman of the House Energy and Commerce Committee that held several hearings on the alleged overcharges. In response to the NRO settlement with the university, Dingell remained unsatisfied with the resolution.

He stated, "This proves the adage that the outrage is not what is legal, but what is illegal. At the end of the day, tens of millions of unwarranted and underserved tax dollars remain in the coffers of Stanford."

In response to Dingell's remarks, President Casper said, "What he said could be read in the positive sense in that he is saying, 'Now these allegations are out of the way and we were wrong—but I am still unhappy about the resources that went to the universities, but now it is a issue of legality.'" While one can read Dingell's statement in different lights, it does remain apparent that not all of Stanford's detractors have been pacified.

Former President Kennedy "did a lot of soul-searching" in his ultimate decision to give his one-year notice of resignation in the summer of 1991. Kennedy stated, "While it was my own personal decision, it was based on a conviction that there was enough mixtures of concerns among Stanford faculty and other members of the Stanford community that could only be rectified in a change of leadership. One view of me was that I was kind of a personal lightning rod and so long as I was president it would continue to be a heavy burden on the university, including great pressure from the Dingell subcommittee and others."

Taking a step back and looking at where he is now, as a professor of biology and a lecturer in earth systems, Kennedy seems to have been humbled by the tumultuous effects of the scandal, but remains far from beaten. His resilience is to be respected; he finished the interview by saying, "I think [my decision to resign] was the right thing to do at the time, although it wasn't made without a certain amount of regret—but I am happy now."

When questioned about the immeasurable damage which the university has suffered through the course of the investigation, President Casper appeared both hardened to the realities of the public and governmental scrutiny which was incurred in the past few years and encouraged by the settlement as a tool for others to follow. He stated: "The university has suffered considerable damage—financial, psychological, and effects such as

being placed on a somewhat punitive indirect cost recovery rate for two years; many of the effects cannot be quantified in mere numbers. The university spent well over \$30 million in just transaction costs [legal fees, accountants, and consultants] dealing with the controversy."

However, through the darkness shines some light, in the form the resolution of ambiguities in the system of indirect costs. The Clinton administration is currently undertaking a wholesale review of indirect cost policies, which is necessary in these times of extreme financial restraint for both the public sector and for universities. President Casper stated that the newfound scrutiny of the policies has "forced people to examine expenditures for universities very critically." President Casper ultimately hopes that "this [settlement], and the resulting improvement between Stanford and the Office of Naval Research, will have a spillover effect on other universities."

Points of Light

"I think that being asked to teach a course to freshmen or to sophomores should be the highest honor a professor can get."

— Dr. Martin Anderson

"I'll probably get a million more than I should, but I didn't make the rules. I'm just taking advantage of them."

— Reggie Jackson

"The violent epoch of the 20th century was something more than an accident of history. I would say, indeed, that it was a struggle over nothing less than the nature of man."

— Robert Bartley

"A fool and her money are soon courted."

— Helen Rowland

"The Clinton Administration has embarked on a regulatory reign of terror that makes a mockery of due process, as it de facto seizes control of privately owned land in the name of preserving 'wetlands.' Its definition of wetlands is so expansive and elastic that a suburban lawn would qualify after a rainfall."

— Malcolm S. Forbes, Jr.

"In this tumult of change, one of the hardest things to remember is that some things do endure: Reason remains a constant force; civilization is cumulative; not rebuilt overnight; work and merit deserve rewards; progress relies on honesty and virtue."

— Robert Bartley

"The short answer is that the Malthusians have had nearly two centuries since Malthus first wrote about this supposed danger in 1798, and they have yet to show any correlation between population and poverty. There are, of course, densely populated poor countries like India with 757 people per square mile, but there are also very prosperous countries like Japan with 814 people per square mile."

— Thomas Sowell

"When I found out I wasn't going to make the world better by being a lawyer, I decided I wanted to be in business for myself."

— Sumner Redstone

"I consider myself some sort of liberal, but I don't like where liberalism has gone in this country in the last 20 years. It's become mindless—medallion-wearing and placard-bearing. It's a cover also for a great deal of resentment and hatred, these terrible outbursts from people whose principles are affronted when you disagree with them. It's a bad moment in the history of the country."

— Saul Bellow

COMMENTARY

The Other Affirmative Action

Stanford started giving special preference in its admissions policy to the children of alumni — euphemistically called “legacies” — long before it began targeting African Americans, Mexican Americans, and Native Americans. “Children of Stanford graduates receive preference in choices among applicants of approximately equal qualifications,” reads Stanford’s Criteria Statement. “Children of eligible faculty and staff receive favorable consideration, once again provided they meet the basic requirements.”

Each year, Dean Montoya sends a letter to prospective legacy students informing them of the preferential treatment they will receive in the admissions process. “I am pleased that Stanford is among your choices and look forward to reviewing your application,” writes Montoya. “In processing your application we noted that you are a Stanford legacy, and I thought this would be a good time to share with you and your family how your Stanford ties will be considered as we evaluate your application.”

Montoya’s letter indicates that legacies are admitted at a rate twice that of non-legacy candidates, which means that Stanford accepts almost one in two legacy applicants every year — a substantially larger percentage than the general rate of acceptance. However, Montoya firmly declares that legacy students are admitted based on their own accomplishments. “We will not admit you simply because of your Stanford family background,” writes Montoya. “Should you be offered admission, it is important that you know it will be based on your accomplishments.”

Preferential admissions policies are certainly not peculiar to Stanford; in fact, they are as old as higher education itself. For centuries, schools have practiced nepotism in order to build a sense of loyalty, stability, and tradition — practical goals in times of massive fundraising, cultivated reputations, and national recruiting. The school should not only be a place of advanced learning, legacy proponents reason, but a way of life. However, critics of the legacy program contend that it is an unfair privilege for the affluent. Others voice concern that Stanford and other schools, for that matter, sacrifice excellence in order to accommodate legacy students. Conspicuously absent from the debate over preference for legacy students are campus conservatives who take no steps at criticizing affirmative action for minorities.

Competitive Applicant Pool

According to the Dean of Admissions, James Montoya, 80 percent of those who apply to Stanford each year are qualified applicants. However, only 20 percent of those who apply are accepted. “My own guess would be that nine thousand or so [of the 14,610 students who applied in 1994] have the ability to successfully meet the academic challenges of the University. [They] are students who know they are going to be competitive in our pool,” explained Montoya in April after last year’s application process. “However, they probably don’t realize how competitive the pool is at Stanford — at least not in comparison to other schools to which they have applied.”

The huge discrepancy between the number of qualified applicants and the number of accepted applicants opens the door for much subjectivity on the part of the Admissions Office. For example, Dean Montoya calls this year’s freshman class “our most academically talented freshman class in history,” despite the fact that Stanford’s achievement test scores and Scholastic Aptitude Test scores for incoming freshman have steadily declined since 1991. Due to this subjective power, people often question the fairness of the admissions process that on the surface lacks coherent parameters and standards common to all applicants.

Campus Opinion

The Office of Multiculturalism Director, Sally Dickson, does not oppose the legacy program in and of itself, but she sees potential danger that those of lower socioeconomic status are less likely to be the children of Stanford alumni and therefore are at a competitive disadvantage before their applications are even read. “It’s not an uncommon practice,” explained Dickson. “However, if we’re talking about equal opportunity, we must ask, How does this policy effect working class students and students of color?”

President Emeritus Richard Lyman, on the other hand, leans in favor of taking care of those in the Stanford family. “[The policy] makes a good deal of sense,” said Lyman. “You’re pulled [in one way] in leveling the playing field for all people . . . But you’re pulled [in another way] in responding to the interest of faculty and alumni who contribute to the University.”

Jack Lo, a freshman, disagrees with the very foundations of legacy admission policies. “I think it sucks. Just because your dad came here doesn’t mean you should get special treatment,” he said. “It’s just like the minority quota.”

A freshman legacy student who wished to remain anonymous said he suspects that he is not qualified to be at Stanford. “My academic performance thus far has indicated to me that the only reason I was accepted by Stanford University is because my father graduated [from here] in 1970.”

Montoya’s defense of the policy

Montoya says that legacy students must be “approximately equal” to other students to be admitted, but what does “approximately equal” mean? Does it mean that all legacy students have to do is meet a bare minimum standard to be accepted while some of those who far surpass this minimum are rejected? Dean Montoya insists that different academic standards are not applied to legacy students.

“The criteria statement talks about basic requirements of academic excellence,” said Montoya. “If a student is not in the competitive part of the [application] pool, their relationship to [alumni or faculty] is not going to have an impact [on admission].”

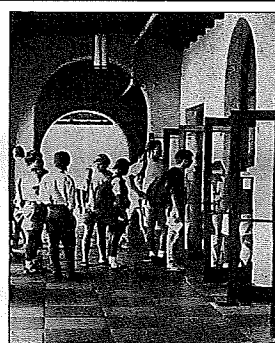
Montoya also denies that the high admissions rate for legacies is a result of lower standards. He theorizes that unqualified legacy students perceive “that Stanford does not give as much advantage to legacies as our competitors and shy away from applying to Stanford, thus reducing the legacy rejection rate.”

Concerning the question of legacy exclusivity, Montoya contends that legacy students make up only 11.3 percent of the freshman class; targeted minorities — African Americans, Mexican Americans and Native Americans — constitute 18.1 percent of the freshman class. Montoya suggests that the small percentage of legacies in the matriculating class means that “the program does not serve to exclude academically advantage students of lower socioeconomic backgrounds.”

“Certainly there are children who apply who have parents who attended the University when Stanford was not as diverse as we are now, said Montoya. “But now, those Mexican American, Native American, and Mexican American students who first came to Stanford in the late ‘60s are seeing their children in the applicant pool.”



Dean of Admissions James Montoya is comfortable using students’ legacy status as one criterion in Stanford’s admissions process.



Although Montoya is compelled by the administration to suppress information concerning the racial breakdown, SAT scores, and high school and college academic performance of legacies, he says that the Committee on Undergraduate Admissions and Financial Aid (CUAFA) reviews this information and makes sure that admissions standards are not lowered for any group of candidates.

“The role of [CUAFA] is to oversee the development of the [admissions] policy as well as its implementation,” said Montoya. “While I can’t give you those statistics, CUAFA will adequately determine whether we are correctly implementing the policy.”

Conservative double standard?

Many campus conservatives regularly oppose with Stanford’s affirmative action policy, contending that qualified Asian American and white students are being boot-

ed in order to make room for members of targeted minority groups. Montoya insists, however, that Stanford’s “concerted effort” to recruit African Americans, Mexican Americans, and Native Americans does not amount to preferential treatment in the admissions process or cost qualified applicants spots in the freshman class.

While Montoya continues to unequivocally deny that Stanford favors certain ethnic groups in the admissions process, he concedes that the University favors legacy students. Yet, campus conservatives conspicuously remain silent about affirmative action’s equally questionable older cousin, legacies.

Sally Dickson points out this fact. “[The findings of Professor Troy Duster] indicate that there are more people who have benefited from the legacy policy than from affirmative action,” said Dickson. “Yet, you hear little criticism of the legacy program.”

The proportion of legacy students in the freshman class is less than that of target minority groups combined, but it is greater than that of any one targeted ethnic group. Thus, legacies are the largest target group admitted to Stanford. Stanford’s legacy student ratio does, however, remain lower than that of

other prominent schools. The admit rate for legacy students at Amherst in 1990 was 55 percent, compared to 14 percent for non-legacy students. Yale also has its share of legacies: roughly 14 percent of the campus had a parent go to Yale. Harvard has so many legacy students that they will not release any data concerning either the proportion of legacies in the freshman class or admission rates of legacy students.

Dean Montoya continues to insist that Stanford does not lower standards for any group in admissions, but — and this story is getting really old really fast — the Admissions Office cannot release any data concerning the test scores and academic performance of these groups. His declaration that CUAFA is watching him only begs the question, “Who is watching CUAFA?” The fact still remains that there is a huge applicant pool that gives the Admissions Office much leeway in admitting freshmen and that the academic ability of students accepted to Stanford varies substantially enough for critics to ask if excellence is being sacrificed to accommodate targeted groups of students. Maybe there is no scandal, but the door for speculation will remain ajar as long as the administration refuses to release data concerning admissions.

Ed Malone is a junior majoring in political science. He is the news editor of *The Stanford Review*.

What to do this week:

- (1) Vote.
- (2) Join the *Review*.

INSIDE FRESHMAN ENGLISH

Can Johnny Write?

Stanford's Writing and Critical Thinking Program — colloquially referred to as simply Freshman English — is an important foundational course which all freshman and transfer students are required to take upon their arrival at Stanford. Because this program is a central element of a student's undergraduate education, we need to ask what its goals are, and whether or not they are being met.

The course series, as its title suggests, is dedicated to enhancing the ability of students to read, think and write critically. It places emphasis on identifying an audience for whom to write, and assessing the impact one wishes to make on that audience. Students are then encouraged to use this crucial initial assessment to create a thesis supported by arguments. The arguments can come from a variety of sources such as evidence, assumptions, or common knowledge.

The program is designed to improve analytical writing ability, and all the components of the course are tailored to that end. For example, readings in Freshman English classes are "intended to serve writing needs": students are to analyze them carefully, identify the various techniques of persuasion, methods of argumentation, and learn from them. Most students are generally satisfied with this format. Freshman Bimal Shah finds that such an analysis of the tools in a literary text has been a potent learning instrument. Said Shah, "My instructor, Wendy Goldberg, is doing a great job pointing out persuasive techniques that authors use and encouraging students to use some of them."

Another major conceptual basis for the Writing and Critical Thinking Program is "revision." This term refers not simply to proofreading and correcting one's mistakes, but to an involved process of "reorganizing, developing the argument on a deeper level, and even starting from scratch if need be." Peer and instructor feedback is instrumental within the larger process of revising since it provides freshman writers with an audience, and a fresh perspective on the paper. One-to-one conferences given by instructors are an important element of this feedback.

But how does one go about motivating students to revise their written work? The Chairman of the Freshman English Program, Claude Reichard, who kindly provided much of the information for this article, offered an answer: students are motivated to write and revise "when the subject of their writing is related to their field of interest." He added that the "pedagogical idea" behind student theme selection of Writing courses is that best results are achieved when "one feels invested in what one is writing."

In order to match incoming students with their areas of interest, the University has made a wide field of course themes available through its Freshman English Program. A comprehensive list of all the course themes is published every year in an informative pamphlet called *Approaching Stanford*. Students become acquainted with a break-down of course themes, varying from literature analysis to creative writing and community service. The basic idea here is to provide a "great deal of latitude in selectivity" but the descriptions are perhaps too cursory to adequately direct hesitant students in their choice.

Community Service in Freshman English

One measure that the Freshman English program has adopted to increase student motivation has been to introduce a community service option that will fulfill the Writing and Critical Thinking Program. Claude Reichard described the Community Service Writing option as an effort to "integrate academic work with real-world writing," a concept that has become more and more popular at other colleges. Students select this track before their arrival at Stanford based on the information in *Approaching Stanford*.

A joint project of the Writing and Critical Thinking Program and the Haas Center, CSW allows students to do a community service project as part of their work for a Freshman English class. The Haas Center acts as a coordinator for the program by connecting interested students

with various nonprofit — and presumably nonpolitical — organizations which need writers for their projects. Some examples of organizations that the Haas Center contacts are Planned Parenthood, Amnesty International, Catholic Charities, the San Francisco AIDS Foundation, and Friends for Youth.

While the CSW program is certainly an innovative way to accomplish the task of motivating students, it has also sparked its share of controversy: some students wonder just what community service has to do with developing analytical skills in writing — which remain, after all, the ostensible goal of the Writing and Critical Thinking requirement. While students in regular track Freshman English courses are reading contemporary literature and nonfiction essays and writing collegiate level analytical papers, students in the CSW are writing newsletters, grant proposals, and articles for nonprofit public service groups.

This format may provide a greater audience for student writing, but can writing pamphlets really be as constructive as writing a standard English paper critically evaluating a canon of great works? Claude Reichard posits that interested students who willingly choose to participate in the program might benefit because CSW provides a stronger incentive for them to write by giving them an intriguing subject to write about. It makes a difference if a student sees "an end result" to his or her work, which is exactly what the CSW track provides.

If a student writes a successful grant proposal, then the exposure to "real world writing" has the potential of yielding enormous results in terms of providing students a visible "end." Emphasis is put on the fact "that in the real world writing is not a purely autonomous act," that one needs to learn to work with other people. Therefore, many CSW projects are done in groups.

It is important to note that there are a great many options even for the student who has already selected to be in a CSW track. This student can still choose not to do a project, or back out of one if uncircumventable complications arise. This flexibility allows "students a chance to write outside the academic setting, where their work will reach an audience beyond the teacher and will serve a purpose for its readers as well as the writer."

In the course of fulfilling their Writing requirement through CSW, students may write newsletters, grant proposals and articles for the above-mentioned organizations. This does indeed provide a greater audience for student writing, but the work is not always rewarding. There is a difference in the challenge provided by writing a grant proposal, and that posed by simply composing newsletters. Both jobs involve thought about paragraph formation and clarity, but the idea of "end result" — or the impact of one's work — seems to play a role in one's motivation to write. A successful grant proposal can be very enriching, but according to sophomore Bess Kennedy, who worked with a group called Consortium for Women, a newsletter often amounts to nothing more than "busywork."

Judging by ASSU evaluation forms, Reichard discloses, the satisfaction level expressed by CSW students is generally high. Criticisms involve "logistical complications" such as lack of transportation, chaotic communications, difficulty in locating organization representatives, rather than conceptual problems with the track. Distance from the academic setting, however, can also be deleterious in some cases. It is likely to generate circumstances beyond the control of the designers of the program and to the latter's chagrin, possibly even undermining of the basic purpose of Writing and Critical Thinking as Bess' case illustrates.

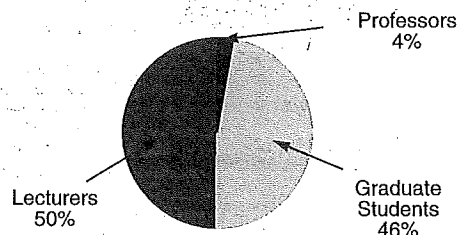
Who Are the Instructors?

A major portion of the difficulty of formulating an effective Freshman English program is the problem of attracting qualified professors to teach the classes. In the words of Dr. Martin Anderson, a distinguished Senior Hoover Fellow whose bestselling *Impostors in the Temple*

addressed the the Freshman English courses in detail, the Writing requirement "should be a crucial building block of education, a critical stepping point to higher education." Students come to an institution like Stanford wooed by its reputation and full of expectations. They are grasping for knowledge and ready for a challenge. Dr Anderson suggests that "if introductory Freshman English courses are taught by the most illustrious and inspiring professors that the University can offer," students will be infused with enthusiasm for learning for years to come.

It is this initial encounter with higher education that is crucial for new students, but it is also a source of concern for many institutions of Stanford's rank. For example, of the 141 writing courses currently offered by the Freshman

Who teaches Freshman English?



English Program, 65 courses (45 percent) are taught by thirty-three graduate students. Twenty one lecturers teach 70 courses more (50 percent). Only six full professors participate in the program, collectively teaching 6 courses (4 percent).

In other words, a substantial portion of the classes are handled solely by students who are currently enrolled in a graduate program in English. They may be the best of the graduate school crop but, after all, they are still students. Dr. Anderson points out that since they are still in school, they do not have the degree requirements to teach at another institution — say, Harvard. However, they are deemed qualified enough to teach at Stanford; moreover, they are the ones providing that crucial introduction to higher education for almost half of all new students.

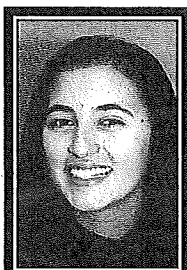
Truth in Advertising

In the latest issue of *Campus Report*, Bob Beyers, a former Chair of Student News Services, recommends the publication and campus-wide distribution of a booklet designed to inform students about what classes are available, who is teaching those classes, and what qualifications those teachers possess. Beyers would have every University course listed in this booklet, and a short description of the instructor's academic background and status in the academic hierarchy; specifics on who will be lecturing, who will be leading discussions, who will do the grading, and who will make up the exams; and a summary of the qualifications of the discussion leaders.

In regard to critical evaluation, much credit must be given to Stanford University President Casper and Provost Rice for making the issue of the quality of undergraduate education at Stanford crucial and pertinent. The appointment of a Commission on Undergraduate Education charged with the mission of making recommendations regarding the improvement of undergraduate education was in itself a profound indication of concern. For inappropriate experimentation in education may be bad but complacency is a pure crime.

Freshman English is conceptually very strong; in fact, it has the potential to be one of the country's best. Perhaps if we made grading a little more competitive — almost 65 percent of students get 'A's for their work in Writing and Critical Thinking — augmented the courseload to truly reflect the number of units awarded, and assigned tenured professors to teach Freshman English classes, it could reach this potential. Fortunately, leadership is very willing to accept and consider outside criticism.

Victoria Markova is an undeclared sophomore.



Victoria Markova

COMMENTARY

The Case of the Missing Professors

Every year when they arrive on campus, Stanford students read under the rubric of "Property Protection" in the Farm Almanac a laundry list of *do's* and *don't's* that is aimed at protecting them from the despoliations of undetected marauders. The list is helpful (to anyone incapable of exercising common sense on his own behalf) and well-meaning: keep your doors and windows locked when you leave your room, store valuables out of sight, mark your stereo and computer equipment indelibly, et cetera. These are words to live by, to be sure, but the list neglects to disseminate the one piece of advice that might arrest the biggest heist on campus. The pillage, this larceny of larcenies, has nothing to do with pirated telephone-PACs or the fact that some freshman just got a great deal on the bicycle you have not seen in two years. No, it is larger and more insidious, and everyone who is reading the Farm Almanac is already an unknowing, if not a willing, victim. Despair not, however, for there is something you can do to protect yourself from this fraud that runs rampant and costs millions. Avoid your mail box in the first week of December: don't go after dark, don't go during the day, don't go at all. Whatever you do, do not open the innocuous looking, white, business-sized envelope with a return-address at the Stanford University Bursar's Office. Chances are that it is a bill for services neither rendered nor forthcoming. The law protects you from having to discharge such spurious accounts.

You have, nevertheless, probably been accustomed to issuing your insanely hefty check with an alacrity rivaled only by the enthusiasm with which the Provost and President have been disgorging nonexistent funds to cliquish student groups... This is because you have inevitably succumbed to an improvident campaign of delusion, hyperbole, and misinformation that started before you had even signed on the dotted line: Stanford students enjoy one of the best educational environments to be had in the world! They lounge on a sun-drenched, library-studded campus, rubbing elbows with Nobel laureates and eminent scholars by the gross! The scholastic opportunities are endless, the rosy fragrance of academia permeates the air, students sit engaged in scholarly intercourse with the most celebrated academics of our day, there is a professor for every ten students! These are the "services" for which Stanford students gladly pay, and anyone who doubts that these services are forthcoming needs look no further than the photographic evidence emblazoned on the cover of "Stanford Today," the University's application catalogue!

It is true, the catalogue suffers no shortage of photographs — doubtless spontaneously shot — of brightly inquisitive students and beaming professors conversing in claustrophobic poses. The same publication depicts several Stanford classes, every one of them small and looking as though the discourse is more littered with intimate repartee and personal witticisms than with sounds of snores and crinkling newspapers emanating from the last three rows of a 250-person lecture hall. The truth at Stanford, however, is that there are both kinds of classes, and most students spend a dizzying number of their class-hours in the latter, never closer to many of the celebrated academics with whom they pay the big bucks to "rub elbows" than the darkened fifth row of an auditorium.

This is the fraud, the big swindle, the sham. The undergraduate education of a typical Stanford student does not and, in the current system, cannot center on the educational interaction between him and the academic superstars whose names and research drew him to this campus, notwithstanding the depictions of the personal relationships of a few students and their genuinely interested teachers that cram the pages of "Stanford Today." The publication that lures the applications of 7,000 hopefuls every year would be hard-pressed to satisfy common expectations of truth in advertising, and, every time we pay our University bills, most of us are getting fleeced.

What I mean when I suggest that we are being defrauded *en masse* is that the University is not serving the very purpose of its existence, that it is defying the expectations generated by both its reputation and its own glossy advertising, that it is, essentially, relegating teaching, that age-old academic pursuit, to the status of an afterthought in the professorial job-description

— research is the currency on this campus. I would hardly make the claim that there is a shortage of stellar academics at Stanford who condescend to stand before groups of students and present a canned lecture once, twice, or even thrice a week. Rather, the professors who lecture for us default on every other duty that inheres in good teaching: they are all too often inattentive to the very students whom it is their job to instruct, they are regularly inaccessible to students who make icarian efforts to flush them from their laboratories, and

they are generally far less interested in their students' quests for knowledge than in their own research. Instead of being taught by those who purport and are paid to profess, undergraduates at Stanford University are left too frequently to learn from, interact with, and seek counsel from graduate student TAs who are scarcely ahead of them either in course of study or years of age. The disheartening result is that an unacceptable number of students graduate from this esteemed university without ever benefiting from the supreme tutelage of the academic luminaries whose reputations lured us here. Stanford undergraduates by the thousand pay for high-powered professors only to get medium-powered graduate students.

My eyes opened too late to the scam to which the Farm Almanac failed to alert me. I came to Stanford University expecting to be instructed in most subjects by the very leaders of the field in manageably small scholastic settings. When this did not seem to be the case at the outset of my Stanford career, I was unconcerned; I presumed that the large classes and pronounced paucity of instructors with the letters patent of supreme erudition behind their names were part of being a freshman taking introductory classes... the glossy catalogue had warned me that introductory classes were large and augmented by sections led by lecturers and graduate students. I was content to bide my time until I had advanced in my course of study and begun to participate in research projects. After all, "Stanford Today" touts the "ease with which undergraduates may arrange to work with faculty" and boasts that 86% of Stanford classes have 30 or fewer students. In my first three years here, I had two classes with fewer than 30 classmates (excluding Freshman English and foreign languages, both of which are almost never taught by professors or persons holding a doctorate). Two classes in

three years leaves me wondering where the rest of that 86% is hiding. In all of the classes that I have taken at Stanford that are nominally taught by professors (and the vast majority of classes are nominally — and only nominally — taught by professors), in only one has the professor graded the tests and papers I have submitted, much less taken the time to learn my name or interest him- or herself in my education. At Stanford, that is not really the professor's job; research is the avocation of choice and merit.

So, surely, the reader presumes, if I had taken the time or had the motivation to participate in research in a professor's laboratory, I would have enjoyed all the collegial interaction with academic superstardom my heart could desire. After all, the glossy bulletin claims that "[e]ach year, more than 800 students work individually with a faculty member of their choice..." But that is not exactly true; students are always welcome to work under a faculty member of their choice — working with one is something else, entirely. There is a stark difference. I worked on research projects under a professor in my department for the last two years without ever meeting him, much less interacting with him. It is in the nature of the class-naming system at our university. A professor oversees all the independent research projects that are executed by his graduate students, so when a graduate student needs an undergraduate research assistant, the lucky undergraduate signs up for independent study "taught" by the professor. It is a wonderful system, really: the professor and graduate student both get free research assistance, the University can boast extraordinary

rates of student-professor interaction, and the professor needs do nothing at all.

But what about the honors thesis, that independent work that sets a student apart in this competitive academy? Certainly there, if nowhere else, a student can define a question of interest to himself and enjoy the oversight and advice of an interested and highly experienced scholar — particularly at Stanford, which is so replete with them! Not necessarily. There are

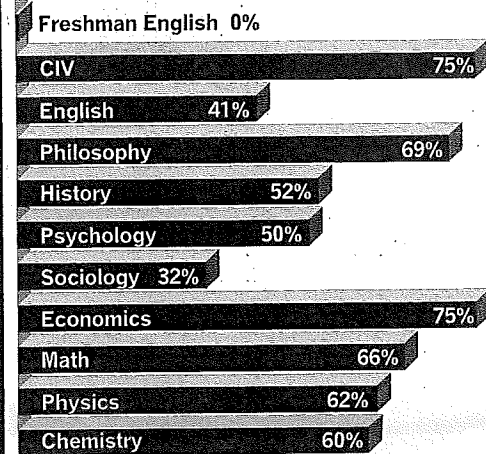


Ryan Bounds

I worked on research projects under a professor in my department for the last two years without ever meeting him, much less interacting with him.

Who's Teaching What?

Percentage of student's contact hours in a course with professors:



SOURCE: Campus Report, Report of the Committee on Evaluation of Teaching, 1975-6

27 honors students in my department, which boasts about 270 majors and 32 faculty members overall. At the first meeting of the honors students' seminar (yes, at Stanford, 27 students is a seminar), the professor pragmatically counseled all students still looking for a faculty member who might advise them in their thesis to abandon the presumption that they could hope for success in approaching a faculty member with an idea for research that held personal interest. The professor advised, instead, that the students approach a professor who happened to be doing work in a field that looked interesting and ask for research suggestions (i.e., to request the privilege of conducting research on a question that the potential advisor wanted answered, anyway). It was the answer that I had been seeking for the first three years of my undergraduate education at Stanford: if you want to interact seriously with a professor, merely offer to do his research for him and hope that he believes you worth his while. Being an honors student usually satisfies the latter, but not always. A couple of professors I approached in this fashion failed to return messages within even two weeks.

Anecdotal evidence only goes so far, however, in revealing the enormity of the fraudulent \$100,000 education. Fortunately, the Registrar's office polls graduating seniors every second year to sample student sentiment on the quality of their undergraduate education. The most recently tabulated results show that the University and its faculty are failing more than just a few errant students. The 1990 survey responses reveal that 44% of graduating seniors did not have "any sustained, small-group or individual contact with a Stanford faculty member" — nearly half of the students walking out the door with a diploma had never had sustained interaction (not even in a small group) with a single, solitary faculty member. An interesting concept, convenient for research purposes: an educational institution where the educators need not associate with the students. Even more amazing, however, is that some of the students who answered in the affirmative to this question made comments like the following: "Yes, but the professor was very busy, and I often felt he had no time for me." 55% of the respondents in that survey could not identify three faculty members who could write them informed letters of recommendation, and 10% could not think of one. Such disappointing statistics show no trend to improvement: in 1992, one third of responding seniors rated the opportunities to work with fac-

continued on page 10

COMMENTARY

I, Jack Guerrero, In a "Different Voice"

In 1991, the feminist influence on Stanford's curriculum reached its zenith when a university commission officially revamped the existing set of distribution requirements and, in a move unique to elite universities, ushered in the gender course to the list of requirements. As a member of the first class to guinea-pig the concept, little did I know of the struggle I'd experience. Far from just forcing students to be tolerant of the feminist presence on campus (ie. Women's Center, Feminist Studies Department, feminist programming, etc.), the university would require all students, beginning with my undergraduate class, to take a feminist course, or have their diploma withheld. Three academic years later, I have yet to fulfill the requirement and I still don't know which course to take. This is my story...

Entering my senior year, I was optimistic about the final stage of my undergraduate career. I moved into my off-campus apartment with conservative roommates. I left dorm life and the polluted sea of feminists, R.A.s, and other agents of political correctness, and moved into a living arrangement with good-natured, politically incorrect, normal people. I looked forward to completing my major, finishing academic research and preparing for the professional life to come. Everything looked great. Alas, I began the cruise through the final year—but the first speed bump caught me a bit off guard! As I prepared my study list, I suddenly remembered I still had to confront the greatest political challenge to my undergraduate curriculum yet. The notorious "gender" requirement—the most ignoble of the undergraduate requirements—awaited me.

I would soon be forced to enter a course potentially incompatible with rational, intelligent thought. Having experienced no other thought process, I felt emotionally unprepared for intellectual disarmament and ultimately decided against taking a feminist course this quarter. As I now attempt to prepare for the immiserizing quarter in which I will fulfill the requirement, I cannot help but challenge the merit of this remaining prerequisite to my graduation.

After countless discussions on the issue with some of my more tame liberal and feminist acquaintances (hey, I'm a tolerant guy!), three major reasons for the gender requirement emerge as common denominators: one, to study the historically ignored contributions of women to academic fields; two, to allow Stanford women to feel good about themselves, and three, to improve friendly intellectual relationships between women and men at Stanford and beyond. Each of these reasonable-sounding objectives comes short of being reached because many of the underlying premises of the feminist requirement are fallacies.

Myth #1: The Gender Requirement secures coverage of historically-ignored contributions of women



Jack Guerrero

The first of the reasons that have emerged is perhaps the most legitimate. To promote the contributions of women to intellectual thought is a theoretically good idea—one that only a true sexist would oppose. To accomplish this fairly, however, the additions must, first, exist and second, really be "contributions." If these considerations are not met, then the so-called female contributions need not be celebrated—an idea that, again, only a sexist would oppose. Let us apply these criteria to the gender requirement.

One field that has ignored the women's perspective in the past has been the study of western civilization. Historically, however, all the greatest thinkers of Western thought have been male. So the first requirement, that the women contributors exist, fails. Consider the great philosophers, classical economists, and political theorists that have influenced the development of America's democracy, or the western world's civilization. Whether for reasons of culture or discrimination, the fact is that women have not been among the influential thinkers. To make some up, or ask a contemporary feminist writer to replace the would-be female thinker of the time does no justice to the study of the classical era. Carol Gilligan or Rigoberta Menchu may be nice people, but they just don't

the discovery; they should be explored because they are important contributions. Adding a gender requirement like *Feminist Studies 147A: Gender and Science* offered this quarter, accomplishes absolutely nothing. If the contributions exist, they will naturally be considered in the context of the fields where they appear. Interestingly, the contributions of women to different academic fields have already been recognized, and many courses not fulfilling the feminist requirement do cover the women's perspective, even when their merit is questionable.

The Cultures, Ideas, and Values (CIV) curriculum is one example. All of the CIV tracks now include works by feminist writers, and some have an overtly genderized tinge. A CIV track that studies John Stuart Mill from the "women's" perspective, ignoring his more important views on such things as property, can be considered to be feminist in nature. Other generic-sounding courses that do not fulfill the gender requirement are also stained with feminist jargon. Countless courses in anthropology and political philosophy provide overtly feminist perspectives.

These examples debunk the presupposition that the gender requirement is necessary to ensure that all students receive the women's perspective on academic issues. The fact is that many courses, some with interesting and harmless sounding titles, others as part of department requirements, feature these much besought, acclaimed feminist perspectives. In fact, the days of the great CIV debates led the university to officially encourage professors and department chairmen across the academic spectrum to provide feminist and "minority" perspectives in their curricula. Does this mean that feminist programming has now been included in the computer science curriculum?

The suggestion that the gender requirement somehow empowers women to be represented in academic study is a indeed a myth. Evidence of their representation, unjustly in some cases, exists for coursework outside the purview of the gender requirement. The feminization of once legitimate coursework would continue to exist without a gender requirement. Whether the

"women's" perspective is rightfully included in those studies is a separate, but equally clear, issue. In some cases, this viewpoint is either slanted, not up-to-par with the standards of the field they hope to enter, or simply does not exist.

Myth #2: The Gender Requirement provides much needed self-esteem to women

Perhaps the most troublesome of the gender requirement's underlying assumptions is that all women think the same—namely, the feminist way. When I attempted to fulfill the gender requirement last Spring by way of *Religious Studies 008: Religions in America*, nearly a quarter of the lectures were devoted exclusively to feminist, gay, and lesbian perspectives. The "feminist reformulations" section of

the course considered the feminist view against the Roman Catholic Church. Surely, the perspective didn't cater to conservative Catholic women at Stanford, much less provide them with something of which they should be proud. Nor do I believe that *Feminist Studies 138: Gender Power and Justice* would welcome pro-life women. Therefore, to suggest that the gender requirement somehow contributes to the self-esteem of women is preposterous. It would be more accurate to suggest that the gender requirement provides campus feminists with this pleasure. But their angry outlook on the world, manifested through the short-haired, nose-pierced, cross-dressing nature of some and the cultural revolution against society subscribed to by most, suggests that not even they seem to be any happier about their gender or themselves as a result of the new requirement.

Myth #3: The Gender Requirement improves male-female relationships at Stanford

Improvement in the relationship between two parties must work both ways. A misleading word for the requirement's title, "gender" applies to both sexes. A man has his gender, and a woman has hers, and each of the two has separate inherent gifts that are complementary in marriage. The gender emphasis of the current distribution requirement, however, only works with the third application—the feminist way. This perspective is clearly at odds with rational women and all men. It may improve the relations between normal men and normal women who join forces against the backwardness of feminism, but in all fairness, I must include even feminists in the analysis of male-female intellectual relationships at Stanford. In this case, the objective fails miserably.

I have yet to take a feminist studies course, or even a fuzzy course with feminist tendencies, and I've turned out just fine; others have taken nothing but courses among the sixty-nine offered through the Feminist Studies department, and they have problems. The newly created victimization does more to hamper relationships between students than anything else. The fact that only three students are presently declared Feminist Studies majors indicates that only about .025 % of students truly embrace the coursework in any serious academic way.

The feminist requirement would do more service to the university community by ceasing to exist. As far as legitimizing once respectable academic interests is concerned, eliminating the course does very little to rectify this situation. But at least it frees students who disapprove of the feminist dose injected into required CIV tracks, dorm life, and campus-wide programming to concentrate to a greater degree on serious academic work without the feminist interference.

A great feat now lies ahead of me. Equally challenging, though, will be a decision to either drop rational thought processes for a respectable grade, or stick to my guns, refuse to be intellectually unarmed, and suffer the consequences. My academic year looked bright early on, but until I conquer the course, I will not rest easy.

Jack Guerrero is a senior studying economics. He is an opinions editor of *The Stanford Review*.

Fall Quarter Courses Satisfying the Gender Studies Requirement

Political Science 154: *Feminist Theory: Gender, Power, and Justice*

Anthropology 147: *Cultural and Feminist Perspectives on Theology*

Feminist Studies 147A: *Gender and Science*

History 205A: *Private Lives: Public Stories*

make the cut into the ranks of Thomas Aquinas, Adam Smith or Thomas Jefferson! In the study of the great works of western civilization, their inclusion compromises intellectual standards.

What about engineering or the sciences? If women have indeed made contributions to the study of say, Chemistry, then those ideas should not be ignored. But, like the fields of philosophy, if women have traditionally been ignored, it is because their contributions never came, and not because the scientific community is on a campaign to keep women in "their place." More recently, women scientists have made significant advances in science, and their additions to the disciplines are, and should continue to be, studied. However, they shouldn't be explored merely because they were written by women, as if the gender of the scientist somehow embellishes

SPECIAL INVESTIGATION

Failed Affirmative Action Admissions:

The purpose of Stanford University is ostensibly the pursuit of truth through academic excellence. Academic excellence begins with the quality of its student body: when admission to Stanford is limited to the best and brightest applicants that a university can attract, then excellence almost axiomatically follows.

For years, the University followed a race-based policy of excluding certain minorities from enrollment. This policy was antithetical to its mission, so beginning in the late 1950s and early 1960s, Stanford turned to a *meritocratic* admissions policy that was predicated on equal rights and sought to enroll the best qualified students regardless of ascriptive characteristics such as race, gender, or religion.

However, something has happened to the admissions policy at Stanford since the late 1960s. It has given up the notion of merit-based admissions, and replaced it with the egalitarian notion of *representative* admissions. This new emphasis goes beyond the notion of equal access to assume that all students are equal: instead of selecting the brightest students only, the University now affirmatively seeks diversity as well. Like some beighted deity that, in the allegorical language of the Scriptures, goes about seeking whom it should devour, the Office of Admissions is now trying to make the student body in the image of America.

The reality is that preferentially admitted minorities are probably not as qualified as their peers, but the admissions office distorts this truth the way a funhouse mirror deforms reality: by enlarging some portions and shrinking others in order to reach acceptable proportions. By lowering academic standards to accept large numbers of targeted, preferred minorities, and then making their test scores, admit rates and Letter Grade Indicators (LGI) secret, the Office of Admissions has effectively distorted our perception so that, in its mirror, we see only equal performances across minority groups.

But something else is happening, too. The mirror is cracking from side to side. Across American universities — including Stanford, as I will demonstrate — substandard academic performances by minorities have become increasingly apparent even as administrations try to hide the official numbers. The failure of representative admissions is inevitable, for the seeds of its destruction are sown in its own false assumption: that preferentially admitted minorities will be as qualified, and will perform as well, as regularly admitted students.

Preferred Minorities at Stanford Have Below-Average SATs

According to Dean of Admissions James Montoya, Stanford University does not use race or ethnicity as a factor in its decision to accept or reject students; special efforts are made to recruit qualified African American, Native American and Mexican American students, but no preference is given to the actual applications of those students.

Now, in my dealings with the admissions office staff — and with Dean Montoya and Associate Dean John Reider in particular — I have always found them forthright, well-intentioned and receptive. However, I grow tired of their repeated assertions that

race is not a factor in Stanford admissions, and that “preferred” minority enrollees are therefore as academically qualified as non-minorities. At worst, this is a bald faced lie concocted by an image-conscious university playing a public relations game. At best, it is a statement woefully ignorant of the availability of qualified minority applicants in America.



Aman Verjee

Every top private university insists that it accepts students without regard to race, but the fact is that there simply aren't enough qualified minorities in the country to meet the politically motivated demand for them at the nation's Top 25 schools, which typically require enrollees to score at least 1250 on the composite SAT.

In 1988, nearly 100,000 blacks took the test. Just 116 scored better than 700 (out of 800) on the verbal component, and 342 topped 700 on the quantitative portion. According to the College Entrance Examination Board, fewer than 4,000 “preferred” minority students (blacks, Mexican Americans, Puerto Ricans and Native Americans) in the entire country scored more than a 600 on the quantitative part of the test in 1985 — a virtual prerequisite to a composite of 1200. More than 117,000 white students and 11,903 Asian Americans topped 600 on the quantitative component of the SAT in the same year. The complete breakdown by ethnicity is depicted in Table 1.

If every single one of these 3,929 minority students who scored above 600 on the quantitative SAT went exclusively to a Top 25 school, there still wouldn't be as many “preferred” minorities in those schools as there are now. Stanford alone took 291 students from its “targeted” minority groups (blacks, Mexican Americans and American Indians) last year; that's 8.4% of all such minorities who scored above a 600 on the quantitative SAT and 17% of those who scored above 600 on the verbal component of the SAT (our entering class is slightly more than 1% of the national pool of 1200+ SAT scholars). When one considers that other elite schools with normal 1200+ SAT admissions requirements also accept minority students in abundance (for example, Harvard, Penn and Yale routinely accept one hundred or more blacks a year, and UC Berkeley alone takes over 830 black freshmen a year) one can readily appreciate that the pool of qualified minority students cannot sustain the huge demand for minorities, and that universities must admit lesser scholars to satisfy their quotas.

That Stanford in particular preferentially selects minority students can be easily demonstrated with an analysis of expected values. If we assume that blacks do not have a comparative advantage over Asian Americans and whites in their extracurricular achievements, application essays, and teacher recommendations (and national surveys of high school teachers prove that this is generally so, though I would guess that blacks might have better athletic records than other ethnic groups), and that high school grades follow a distribution broadly similar to SAT scores (the 0.7 correlation nationwide between SAT scores and high school grades bears this assumption out) then the perfor-

mance of minority students on the SAT should more or less coincide with their relative representation here at Stanford.

For example, according to the Educational Testing Service, a little over 1% of all the high school seniors who topped the Stanford mean SAT (1335) in 1993 were African American. About 28% were Asian American, and another 60% were Caucasian. Hispanic Americans made up about 1% of the sample as well. One would therefore expect to look at the Stanford entering class of 1994 and see 1% African American and 28% Asian American.

If we consider the mean SAT to be irrelevant because it fails to account for varia-

infer from these discrepancies that preferred minorities are consistently admitted to Stanford with lower SAT scores than Asian Americans or whites.

Mismatching Students and Systemic Shifting

The problem of minority students attending colleges where they have below-average SAT scores is not only prevalent in the nation's top-tier schools: it is widespread. We have already seen that the politically motivated demand for minority students at the nation's Top 25 colleges exceeds the supply of 1200+ SAT minority scholars. But the

Table 1 Minorities Scoring Over 600 on the SAT

Group	Verbal SAT	Math SAT
American Indian	163	320
African American	1,032	1,907
Mexican American	515	1,230
Puerto Ricans	218	472
Total	1,928	3,929

SOURCE: Educational Testing Service, College Entrance examination Board

tions in the scores of qualified applicants, we can use the minimum cutoff for any competent Stanford student. As of 1991, approximately 88 percent of Stanford students scored 1200 or better on the SAT. We could reasonably characterize a SAT score of 1200 as the minimum standard of admissions for a typical Stanford student; exceptions might of course be made in extraordinary circumstances, but, in general, a student with an SAT below 1200 is not considered academically prepared for the rigors of a Stanford curriculum. Again, 1% of national test-takers who topped 1200 composite were black; 30% were Asian American.

The percentage of Asian Americans admitted to Stanford in 1994 was 27%, very close to what was expected (although as recently as 1989 only 19% of the freshman class was Asian American). However, almost 8% of the 1994 entering class is black, substantially more we would expect by looking at the SAT scores alone.

(The expected proportion of Hispanic Americans, who make up over 9% of the Stanford population, is not clear. Because of geographical factors, Hispanics might apply to Stanford in greater proportions than they do at other universities; thus, we would expect them to make up more than 1% of the class. A representation as high as 2-3% might be consistent with a meritocratic admissions policy, although 9% is extremely unlikely.)

Something is radically amiss. How can the black representation in our freshman class be explained, given their representation in the nation's 1200+ SAT scholars? Either blacks substantially outperform Asian Americans in extracurricular activities, write phenomenally better application essays, and get teacher recommendations that are uniformly superior than those of Asian Americans, or else SAT scores are not equal across all minority groups here at Stanford. We could know the answer for certain if the University simply released comparative average test scores of enrolled students, but the Office of Admissions persists in concealing the data. Despite the lack of conclusive evidence, however, reasonable people must

problem only starts at institutions at the top of the college hierarchy, where the underrepresentation problem is most visible and easily resolved by lowering standards to attract and enroll minority students.

Most minority students picked up by the top tier possess credentials that would ordinarily be adequate at a second-tier school, though substandard for a top-tier school. Second-tier schools also face political pressures to meet quotas, but their appropriate pool of minority applicants has already been pre-empted by the top-tier schools. Correspondingly, second-tier schools must in turn pre-empt a lower tier by taking students that would normally qualify for lower-tier colleges only. The process continues until minorities at almost all schools are systematically placed in universities whose normal standards they cannot meet. In effect, minority students are “shifted up” so that their credentials are mismatched with those of their peers, and with the demands of the curricula at their respective schools.

There is abundant factual evidence indicating that this shift has occurred in our colleges. At top-tier MIT, the average black SAT score is in the bottom tenth of the entering class. Lower down the ladder at second-tier UC Berkeley, blacks have an average SAT of 952, compared to 1232 for whites and 1254 for Asian Americans. Take a step down again, and third-tier University of Texas admits blacks with SAT scores an average of 100 points lower than those of whites. Even the U.S. Air Force Academy (average SAT score: 1240) accepts blacks with SAT scores as low as 520, but sets a minimum of 900 for whites.

In fact, to my knowledge there isn't an accredited university in the entire nation that can show higher entering scores for preferred minorities than for Asian Americans and non-minorities.

SAT as an Accurate Predictor of Collegiate Academic Performance

If we accept the assertion that SAT scores for preferred minorities are lower at Stanford and other American universi-

The Mirror Crack'd From Side to Side

ties than they are for whites and Asian Americans, then the known success of the SAT as a predictor of academic success should tell us that preferred minorities will exhibit substandard academic performances. Essentially, minority students are systematically being shifted from schools where they could succeed to schools where they are likely to fail.

It is in fact a well-settled proposition that standardized test scores are excellent predictors of future academic performance. On their own, variations in the SAT score have been shown to predict 60% of the variations in a student's college GPA; taken together with high school

true today for preferred minorities: if they enter universities with substandard academic credentials, they will inevitably exhibit substandard performances.

How can we expect anything else? If a student with substantially below-average credentials is thrust into a first-year class with students who are adept at manipulating ideas, have greater verbal facility, and superior problem-solving skills, he would doubtless feel outgunned and confused. Because the educational process is designed for his peers, who are better prepared for the fast pace, the student is denied the time and attention he needs to properly learn the material: he

schools like Boston University, Boston College, Brown or Tufts, though not adequate for success at MIT. In other words, a student who drops out of MIT because the pace is too fast is perfectly capable of learning things in a second-tier school environment that proceeds at a less rigorous pace, and where his academic credentials are near the norm rather than near the bottom extreme.

At second-tier UC Berkeley, fully two-thirds of blacks drop out, compared to 25-35% of whites and Asian Americans. Go down the ladder one tier to U. of Texas, and the mean GPA for black freshmen is 1.97, compared to 2.45 for white

freshmen. Their graduation rates are half of those demonstrated by whites. Even lowly San José State University has a black dropout rate of 70 percent. The problem is systemic: nationwide, 74 percent of black students fail to graduate after five years, while about 50 percent of whites fail to do so. Not a single university has yet been able to boast lower dropout rates for affirmative action enrollees

than for legitimately accepted students. Dogmatists assert that these high attrition rates are attributable to pervasive racism on white campuses. However, Dr. Thomas Sowell points out in *Inside American Education* that, at UC Berkeley, 55% of Hispanic Americans admitted under normal admissions requirements graduated within five years (the campus average was 60%); just 22% of Hispanic Americans admitted under Berkeley's Special Action affirmative action program graduated within five years. I looked at the figures for blacks, and 18% of Special Action blacks graduate within five years, compared to 42% of blacks admitted regularly. If indeed racism is so pervasive, why is its effect so different on people of the same race and on the same campus, but with different academic credentials?

So How are Stanford Minorities Doing? Stanford will not release the average grades, test scores, acceptance rates or dropout rates of preferentially admitted minorities. Oh, voluminous data exists on how many minority professors and students we have, and how much discrimination they face, but any hard data on acceptance rates, grades, and test scores of minorities is nonexistent. Even the *Final Report of the University on Minority Issues* in 1989 characterized this data as "so confidential that we cannot even discuss trends."

However, I have conducted an extensive survey of Phi Beta Kappa class members over the last five years in order to make a guess at how minorities at Stanford are doing. Phi Beta Kappa is a nationwide honors society whose membership is open to Stanford undergraduates of all majors. No more than ten percent of any given class may be elected to Phi Beta Kappa in any given year, so admitted members must demonstrate an extremely high level of academic accomplishment in their major and in a broad range of fields.

Election to Phi Beta Kappa is based solely on merit. The academic records of all students are reviewed automatically by an elections committee, which then elects students on the basis of the transcripts that appear before them. However, no names appear on the transcripts, so the committee has no way of knowing the gender or race of the student on whom it is voting. Since Phi Beta Kappans attain their distinction without the benefit of racial quotas or gender-norming, the composition of this homogeneously high-achieving group is indicative of which ethnic groups are performing well — and which are not — purely in terms of academic performance.

I obtained copies of Volumes 94 to 98 of the Stanford Quad (which has pictures of students who graduated between 1989 and 1993), and copies of the Froshbooks from 1986 to 1990 (which have pictures of all students who were eligible for Phi Beta Kappa between 1989 and 1993). From all of these books, I gathered photographs of approximately nine tenths of the 743 Phi Beta Kappa graduates of the last five years. I then conducted a visual survey of the students, grouping and tallying them into the following general groups: African American; Caucasian; and Hispanic American.

Problems abound with this procedure, each of which could be solved if the University were to release official data. First, mere visual inspection is not a foolproof determinant of ethnicity, particularly since about one third of the pictures were obtained from medium-quality black-and-white Froshbook photographs; nevertheless, I am confident that, in over 95% of the cases, my tabulations are accurate. In addition, I conducted a survey last year of the 1993 Phi Beta Kappa class which had the same methodological problem: to date, no one has undertaken the same survey and come up with a different assessment. I must conclude that, though it may be imperfect, my tally is undisputed.

Second, a dearth of minorities in Phi Beta Kappa doesn't necessarily connote lower-than-average grades among all minorities. After all, minorities might have the same mean grades as other students, but lower variances; in essence, fewer minorities would be at the top or bottom of any given class. However, every single national survey I have ever seen shows that minorities have higher variances in their grades than non-minorities, not lower. Unless someone offers a reason why Stanford might be different, I must assume that underrepresentation in Phi Beta Kappa means lower mean grades.

As Table 2 clearly shows, preferentially admitted minorities in general are significantly under-represented in Phi Beta Kappa. It seems that at Stanford, as well as Berkeley, U. of Texas, MIT and every other college that has been studied in America, preferential admissions has led to substandard academic performance for targeted minorities.

Table 2 Minority Representation in Phi Beta Kappa 1989-93

	Male	Female	Total	Exp.	Std. Dev.
Caucasian	217	186	403	371	+ 2.45
Asian American	123	84	207	156	+ 4.67
Hispanic American	18	13	29	68	- 4.89
African American	15	11	26	59	- 4.50
NA	47	31	78		
Total	418	325	743		

grades, the SAT predicts college GPA with an accuracy of 75-80%.

Many critics have claimed that the SAT is "culturally biased," thus casting doubt upon its value as an academic measure. In fact, the SAT is a better predictor of college GPAs for blacks than it is for whites. In other words, there is no evidence that a "cultural bias" exists that makes SAT an invalid predictor of academic performance. Insofar as there is any difference between the SAT-predicted academic performance of blacks and actually observed performance, the latter has been slightly lower. In short, the SAT exhibits no tendency to underpredict the performance of blacks. Furthermore, if we were to expect any group to suffer from "cultural bias," we should expect recent Asian American and Latino immigrants to perform worst of all, especially on the verbal part of the test. However, second-generation immigrant Asian American children scored just six points less than native Caucasians, and beat blacks by a whopping 192 points. They actually outscored whites on the quantitative portion of the test. Mexican Americans also outperformed native blacks on both parts of the test.

Low SATs Predict Academic Failure

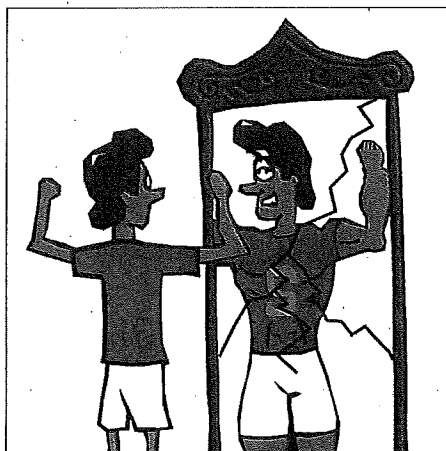
The excellent predictive value of SAT scores nationwide would suggest that any university that preferentially admits students will see those students turn in substandard academic performances during their collegiate years. That high failure rates exist for preferentially admitted students is in fact nothing new. This pattern has long held for college athletes of all races, and for years legacies at Harvard were disproportionately well-represented among Crimson dropouts. The same is

will probably end up with a substandard education, and will probably not make honors.

Inducing artificial failure

What, then, are the consequences of this pervasive, systemic shifting up of minority students? Minority students will enroll in generally more prestigious universities than they are ordinarily capable of getting into, and will bring with them credentials less impressive than those of their peers. Hence, they will tend to perform poorly relative to their peers.

That this is in fact what happens is dramatically demonstrated every time any university releases minority data on its



dropout rates or grades. At MIT, for example, the average black student scored in the top 10 percent of the country on the quantitative SAT, but in the bottom 10 percent at MIT. Nearly 25% of blacks drop out without getting their degree, compared to just 7% of whites. Almost all of these failures are artificial: the academic qualifications of minorities at MIT are more than adequate for Top Thirty

than for legitimately accepted students.

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COMMENTARY

Will the 'F' Start Grade Deflation?

It was in the first few months of 1942 that the famous American general, Douglas MacArthur, upon being forced to abandon the Philippines to the forces of imperial Japan, uttered his famous promise: "I shall return." And roughly two

By Eric Jackson

and one-half years later, he did. But in his absence, the hapless nation, as well as the American troops stationed there, was at the mercy of the Axis forces. It was only upon the return of MacArthur, and the advent of an overwhelming U.S. invasion force, that order was restored to the Philippines.

Some half a century later, history is repeating itself, but in a most unusual way. The locale is not the Philippines, but rather Stanford University, and the improbable hero is not MacArthur, but instead the letter 'F' grade. Lunacy, you assert? Perhaps, but the parallels are striking, especially when you consider the actions of the faculty senate last June.

By an overwhelming vote of 38 to 3, the body approved a new grading policy which contained, among other things, a measure to reinstate the long-vanquished notation of "not passed" on a student's transcript. Why did the vast majority of the faculty representatives move to bring back the dreaded failing letter grade? After all, one could argue that the University had survived just fine in the two decades since the 'F' was discarded. But, amid a growing clamor of "grade inflation," the senate passed what it thought to be a needed measure to put a halt to the skyrocketing average letter grade.

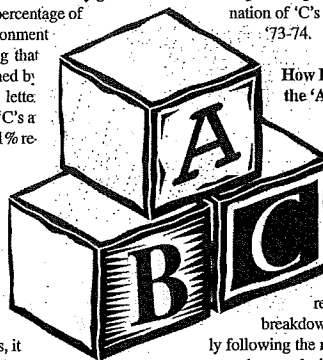
The skeptical reader might, at this point, be tempted to condemn the faculty senate's actions outright if he or she did not place much credence into the existence of grade inflation at Stanford University. And while it is admittedly extremely difficult to prove one way or the other that high grades are eas-

ier to obtain at Stanford than they used to be, a simple perusal of the percentage of letter grades assigned over the past several decades indicates a pervasive upwards spiral in the median recorded grade.

Grade Inflation in the Early Seventies — and Beyond

Let us stop to consider the letter grade distribution for the 1968-69 school year, which appears to be a fairly good indicator of the breakdown in the percentage of grades assigned prior to the abandonment of the 'D' and 'F' grades. During that school year, the letter 'A' was earned by 35% of all students receiving letter grades; 'B's' were earned by 42%, 'C's' a 19%, and 'D's' and 'F's' by 4% and 1% respectively.

These numbers stand in stark contrast to those of the 1973-74 school year, which came just two years after the vote to remove the bottom two grades from the transcript. (This is not to say that a student could no longer fail a class and not receive credit; if he or she scored below a 'C' in a class, it simply would not be recorded on the transcript or effect the student's grade point average.) In '73-74, 'A's' constituted a daunting 55% of all letter grades assigned, while 'B's' were 37%, and 'C's' were down to 8%. Clearly, the dropping of the 'D' and 'F' grades lead to a substantial hike in the number of 'A's' given out, so much so that the mean grade shifted from a 'B' to an 'A' in just five academic years.



How Bringing Back the 'C' and 'D' Affected the 'A'

Having already seen that with the expulsion of the two lowest letter grades, the percentage of 'A's' given out increased dramatically while the percentage of 'B's' and 'C's' both declined, it is tempting to speculate as to whether or not the reintroduction of the deposited grades would have the reverse effect. Perhaps by examining the

breakdown of letter grades for the year immediately following the restoration of the 'D' grade, 1975-76, we can reach a conclusion. For the year in question, 'A's' declined to 51%, 'B's' and 'C's' rose slightly to 38% and 10%, respectively, and 'D' marked its return with a measly 1%.

This raises an interesting point: though the 'D' grade checked in with only 1%, somehow its mere appearance coincided with a drop of 4% for the 'A'. Any attempt to explain this cannot be conclusively proven or disproved by the evidence at hand, but it does suggest a simple enough theory. Professors, like the vast majority of human beings, are loathe to hand out the most severe punishment available to them, and thus they're reluctant to award the lowest letter grade available to students. As the 1973-74 data indicate, with the 'D' and 'F' grades no longer a real option, and 'C' the lowest grade available, the professors reduced the number of 'C's' given out to their students. This, in turn, had the probable effect of pushing all the marginal 'C' students (those who would have earned a 'C' on the old standards) into the 'B' category, and the marginal 'B' students into the 'A' category, while the number of deserving 'A' students remained the same.

In other words, many individuals got bumped up a letter grade, except for those already at 'A' level, simply because they had nowhere else to go. The net effect of this upward shift in the average letter grades awarded has been to devalue that which was previously the most sought after, and relatively difficult to obtain, letter grade, the 'A'.

Conclusions

The problem with this pervasive ratcheting-up in grades is that the value of an 'A' is derived just as value is derived from any commodity: from its scarcity. If more 'A's' are awarded, they lose the value that they had previously held. Not only does a devalued 'A' provide an inferior reward for the student who works long hours and excels in his/her studies, but it also serves to stigmatize the 'B' grade, which had—prior to the dropping of 'F'—been a respectable dividend for one's efforts.

Whether or not one agrees with the nature and impact of grade inflation, the fact is that the faculty senate felt it to be a most serious issue, and acted accordingly. And it is because they felt this way that the 'F' will be returning at the beginning of the next academic year.

What impact should the return of the 'F' have on grades? If the previous trends hold true, very few 'F's' will be given out, but the real effects will be felt elsewhere: the amount of 'D's' will increase slightly, and there should be a noticeable increase in the amount of 'B's' and—to a lesser extent—'C's'. In general, the grades awarded to students with marginal scores will be knocked down a notch. The number of 'A's' will be slightly reduced, helping to restore some of the grade's former luster.

As far as how profound an effect this will have in practice as opposed to theory, it cannot be easily determined. Making sure that the use of the 'F' is not merely a perfunctory tool but a valid option for professors is not going to be easy: some proposals of enforcement are given in the Winds of Freedom recommendations on page 14 or 15. Nevertheless, one thing is sure: just as MacArthur returned with much ceremony to the Philippines five decades ago, so returns the 'F' to Stanford.

◆ Bounds

continued from page 6

ulty members as fair or poor (these same students were assured before they applied that it was easy and rewarding to work independently with a selected faculty member, just as we were). 71% of respondents in the 1992 survey said that they saw their major advisor infrequently.

With whom, if not the faculty, are Stanford students interacting for their overpriced academic instruction and guidance? Graduate students acting as teaching assistants are the real teachers on this campus. Nevertheless, outrageously, no central administrative body seems to be able to indicate to what degree TAs are used in teaching classes. The office of the Dean of Humanities and Sciences, which pays TAs, gives the funds for their remuneration to the various academic departments, based only on the enrollment statistics for their classes. Decisions on the extent of the responsibilities and participation of TAs in actual teaching, grading, and advising are left to the faculty members of the department. The Provost's Office, in charge of overseeing the entirety of undergraduate education, has no empirical figures reflecting the reliance on TAs in undergraduate teaching. Paddy McGowan, Director of Research for the Registrar's Office, admitted that "no one knows" to what degree TAs are used. This is why the alluring publications sent to prospective applicants to Stanford are so misleading: no one really knows just how little teaching is indeed done by professors. It is of little consolation that we have been duped out of ignorance rather than mischief.

If the renowned Stanford faculty members are not teaching, working with, or advising their students, what are they doing? They are attending to their research, of course. It is research that gets them published; it is publication that gets them the respect of their peers; it is the respect of their peers that gets them tenure, promotions, and pay raises. Teaching undergraduates gets them nothing but time-consuming requests for graduate school recommendations. Former University President Donald Kennedy called for a reform of such destructively skewed disincentives for teaching at least three years ago, but the inclination to eschew teaching for research remains. The institution of prizes for excellence in undergraduate teaching, which has happened pursuant to generous grants on several occasions in the last decade (e.g. the Bing Fellowship and the Hoagland Prize), seem to have had little ef-

fect, at least from a student's perspective. There is still no quantified degree to which excellence in teaching is considered in granting tenure and promotions in the School of Humanities and Sciences, so it seems reasonable to presume that research and publication yet hold sway in such decisions and that professors will continue to be those who produce arcane articles rather than those who teach interesting classes.

This must change, which requires that the system of incentives for professors transforms fundamentally. Alas, such an alteration must be effected by the very body that seems most enamored of the currently defunct system: the faculty. The irony is, however, that many, if not most, of the members of the Stanford faculty would not object to a relaxation of the pressure to publish and publish copiously, for it would allow them to perform more thorough and creative research as well as experience the joys of molding eager minds. And the pressure to publish could be rather painlessly alleviated, merely by narrowing the consideration of publications and emphasizing student and peer teaching evaluations in deciding on promotion and tenure. Why will this probably not happen soon? Because the faculty has a great deal at stake in risking the diminution of its reputation by diverging from (even in a display of contempt) the merit-standards used in the rest of the academic realm. We can only hope that the Stanford faculty will realize in the not-too-distant future that leadership in academia is more than mere superlative conformity.

Undergraduate students of Stanford University who have come here in hopes of working with and learning from renowned scholars who stand at the very forefront of knowledge have been, by and large, bamboozled. Their dreams of interacting with celebrated academics has been reduced to hopes that it might require less than a week to track down their advisors and that the lines outside of the professors' doors during once-monthly office-hours might not be too dreadfully long. It does not have to be this way. Demand that the faculty institute new standards of teaching and new considerations for awarding tenure and promotion to young professors that might just contribute to their wanting to engage in the zenith of scholarly work: teaching students.

Ryan Bounds is a senior studying psychology. He is an opinions editor of *The Stanford Review*.

EXPLORING PUBLIC RELATIONS

Stalking You and Me: Stanford's Reputation

Once took a class where we read the diary of an Eastern European political prisoner who was regularly thrown into a dingy closet lit by a solitary naked light bulb and containing only a single desk (surely modeled in the Stern Hall style). The prisoner (à la *Midnight Express*) was then mercilessly interrogated for hours on end. I filled the same roll last summer. In my contact with peers, professors and the general populace, I spent most of my time shedding light (both good and bad) on Stanford's policies, events, and decisions that have garnered recent press. Whether it was the indirect cost scandal or our grading policy, Stanford administrators have been unable to generate positive press coverage about our University, and the role of a defense lawyer has been foisted on the student body because of that deficiency.

America's pit-bull press is the most unforgiving, the most unrelenting, and the most damaging foe that Stanford could ever choose to fight, but, nonetheless, recent administrations have foolishly chosen to challenge the press by not playing by its rules. In turn, that bad press — even if riddled with lies and hyperbole — is as good as the truth (as any U.S. president can affirm) because people swallow sensationalism like Jack-in-the-Box hamburgers: with eagerness, reckless abandon, and unquestioning faith in the content. This is not purely a question of softening the damnation — that is a mountainous task — but, rather, it is a question of glorifying the legitimate assets on campus. Can we not repair a reputation that sticks to us like the diagnosis of Attention Deficit Disorder on a middle-schooler?

Clinton has David Gergen. Corporations have their own public relations departments. So, where is Stanford's PR department? Quite simply, we don't have one, or, at least, one that is effective. This void has facilitated sensational press coverage for years. Our resulting reputation, in itself, probably means little to most people at Stanford, but the side-effects of our poor reputation are ponderous for all. Reputation in academic, professional, and corporate circles eventually becomes "The Book" on Stanford and manifests itself in such uncomfortable places as interview rooms and graduate school applications.

If there were a functioning PR department in situ, Stanford might not have performed such a swan-dive in the college rankings; it might not have suffered such a low rate of alumni donations; it might not have served as the institutional whipping-boy for academics over the last decade or so; and alumni whose only news of their alma mater is through the newspapers might not be so hard-pressed to cite examples of recent campus accomplishments when put on the spot. Yes, that is a lot of "mights," but the power of well-done PR should never be underestimated. Good PR is the President telling people that eight million new jobs have been created, when the business cycle alone creates eight million new jobs without breaking a sweat. Bad PR is Exxon in Alaska. Good PR is campaigning Democrats separating themselves from Bill Clinton. Bad PR is Stanford's performance over the last two decades. Good PR is making the heinous sound palatable and the decent masquerade as genius.

So, you ask, where has Stanford gone wrong, specifically? Using the indirect costs scandal as a case study, the mistakes in damage-control surface quickly and, unfortunately, playing Monday morning quarterback won't fix — time has expired. Stanford has reached an out-of-court settlement with the federal government concerning excessive indirect cost billings that requires the University to pay in excess of \$1.2 million and drop its countersuit. While many have declared this vindication and exoneration, Stanford has not been declared innocent

in reaching this pre-trial settlement. On the contrary, both sides have agreed to leave some questions unanswered for the sake of moving on. Also, Paul Biddle, the Navy auditor who initially levied the charges, still has his private *qui tam* suit on the table.

Disregarding the semantic argument, the truth of the matter is that Stanford was guilty upon accusation. President Casper put it best when he said: "I think it is almost universally the case that corrections do not get the same play as the original sensationalized stories. . . . The damage done by headlines can never quite be undone." Former President Donald Kennedy, who served as the scandal's fall-guy, concurred when he told *The Stanford Daily* last week: "If you compare the prominence of the treatment of the initial charges with this settlement, they're in different places in your daily newspaper." If only the damning could have

been stopped before it got into the press's hands and had cut the legs out from under our reputation.

If a competent public relations department had been in place at the time the proverbial excrement hit the fan, there would be a different picture today. As we look back, we should ask many questions. How did major media players get pictures of Stanford's yacht, the inside of the Hoover House, and details of specific purchases? Where was there mention of the fact that Cal Tech and MIT were worse "offenders" when it comes to the dollar amount? (Even people at those universities don't know that they have been the subject of the same neurotic federal audit as Stanford.) Instead of Donald Kennedy making indignant comments before Congress (that left a bad taste in the mouth of a whole lot of agitated alums, prospectives, and taxpayers) and enduring subsequent roasting at the hands of the representatives, reporters should have been swiftly diverted from the scene of the crime and not allowed to snoop around like beagles with a scent firmly planted in their heads.

In the public relations field, a single overriding rule reigns during times of crisis: divert the press's attention. Granted, this is an enormously difficult task, but at no time did Stanford's lead PR representative, Donald Kennedy, offer anything but indignant and arrogant words that angered when they should have apologized and explained. At the same time, when Stanford PR wonks should have been churning out stories on the social benefits of indirect cost-driven research or shedding light on the rampant abuses of this system in many universities, our administration was utilizing esoteric accounting principles to explain the fact that taxpayers' money was used to buy flowers for some presidential soiree — does that make for decent TV or newspaper fodder? As far as the average American is concerned, missiles and bombs are why we have taxes — not floral arrangements — and answering their complaints with indignation and accounting theories hardly helped matters. The University's performance after Paul Biddle went public with his charges was abominable and they couldn't have made that many mistakes by chance.

The storyline goes much the same way with last year's grading policy debate. Stanford was attacked for coddling students, not forcing students to make a timely decision about their future in a class (i.e. less than the nine weeks we had at the time), and producing a transcript that does not tell the complete story of successes and failures. In many ways their criticisms were entirely valid, but there also were many positives to our old grading policy. Was any off-campus person exposed to these positives? No, instead the general populace (and alums for that matter) were greeted with snotty, emotional

quotes that simply whined for the luxurious and coddlesome status quo, failing to shed light on, for example, the defunct policy's allowance for broad academic experimentation. Isn't there a staff to make sure that sensational, "Hard Copy"-style crews don't get hold of this information? Where were the people who administer damage control by releasing pure fact to counter the press's hyperbole? Was there any mention that there was actually momentum for an overhaul? The whole story never got out, and Stanford's student body was forced once again to pay the price in the form of a mocked University and ridiculed diploma.

The idea of public relations, quite honestly, is not understood by many members of the administration. Donald Kennedy, who suffered the most crippling blows at the hands of bad PR, proved this in his recent conversation with the *Daily*. Kennedy said: "We [Stanford administrators] tend to vastly overestimate the effect of good and bad publicity." Overestimate? Do Kennedy and other administrators think they are so smart and appealing that any public relations training would be superfluous? If that is the case, then they should all check out the *Nightline* edition in which Donald Kennedy was pulverized by William Bennett. If their

ideas are so fundamentally sound and need no salesman, can they explain to me why many Stanford policies have not caught on at other schools? Or is it that the administration views word on the street about Stanford as irrelevant? Possibly. But if that were the case, why do they always seem compelled to respond to the different college rankings?

I guess they just don't get it. When he related that he has been at the receiving end of many jabs aimed at Stanford during visits with academic peers, Law Professor Robert Weisberg showed that he gets it. When businesses invest heavily in public relations departments, it is clear they get it. So, if all these can people grasp it, the concept of PR can't be overly intellectual for Stanford. Ego lies at the core and so long as the University believes that it is above having to market and sell Stanford, our bad reputation will dog us.

A poem I got in class the other day says it best. It begins: "There are few proposals/ Bad enough/ That they can't be made/ To look good/ By a clever staff,/ Or good enough/ That they can't be made/ To look bad." A simple investment and a tightening of policy would go a long way towards rebuilding Stanford's reputation after years of neglect.

Better damage-control is needed, but even more important is a consistent and cooperative PR department that the press can depend on to provide honest and telling information all the while holding the reporters' hands. As any business knows, keeping the press at an arm's length while still having its trust is the best defense against public embarrassment. The press has two choices as it decides on Stanford's reputation — it can either improve it or continue to blast it, so isn't it good sense to please the press? After all, the return on a good reputation is far greater than the initial investment.

Remember, the next time you are forced during an interview to talk about Stanford issues instead of talking about yourself, keep in mind what that reputation is doing to your prospects as the interviewer learns less about you and more about your school. It's a game of craps after graduation; can any of us really afford to give the other guy weighted dice?



Michael Meyer

Bad press — even if riddled with lies and hyperbole — is as good as the truth because people swallow sensationalism like Jack-in-the-Box hamburgers: with eagerness, reckless abandon, and unquestioning faith in the content.

COMMENTARY

The Content of Our Character: A Dream Revisited

A friend of mine named Marie attended a public high school in inner city Toronto until a couple of years ago. She received her rejection letters from Harvard and Stanford at about the same time in April 1992.

She never really expected to get in. Her 1570 composite SAT score was in the stratosphere, but her high school grades were only in the A- range: solid for her school, but not spectacular. Her extracurricular activities were decent, but she was always getting sent to the principal's office for "disruptive behavior." Nevertheless, her teachers absolutely adored her, and their recommendations for her were the best they could remember writing in the last ten years.

Some might argue that Marie has a legitimate excuse for being a problem child, and for not being valedictorian of her high school: she was abused by her parents (a drunken father, a speed freak and cocaine addicted mother) from an early age, and even tried to commit suicide when she was 12. At the age of 15, she left home and had to subsist herself entirely without parental support.

I have another friend in Toronto named Brian. He attended a prestigious private high school in downtown Toronto, a school that charges a tuition of \$12,000 a year. Brian also graduated with an A- average, ranked in the top fifth of his high school class, and scored a 1340 composite SAT. He won varsity letters in basketball and track, ran a small business one summer that netted \$12,000, and sat on his school's student council. His parents are both well-educated professionals—one is a doctor, the other a dentist—and his reward for graduating with honors was a brand new, 500-series BMW.

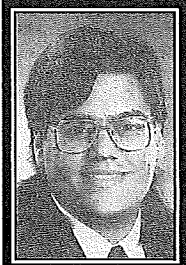
At first, Brian didn't want to go to an expensive American school—he wouldn't qualify for financial aid, and he didn't want his parents to lose \$25,000 a year—so he didn't apply to any universities outside of Canada. Harvard, Stanford, Yale, Princeton, Duke, and a dozen other schools sent him letters urging him to apply after he took his SATs, but he threw the letters away. After Harvard and Stanford sent him application forms and waived the application fee, Brian relented and decided to humor his suitors. When he got drunk on New Year's Eve and failed to turn in his Harvard application by the January 1 deadline, the Harvard admissions office extended the deadline for his application by one week. Eventually, Brian was accepted at Harvard, Stanford, Brown and NYU.

Special Treatment

The attentive reader at this point might be wondering why these aspirants to our elite colleges were treated so differently. Well, I left out one very important factor that impinges heavily on admissions: Marie is white, and Brian is black.

Theoretically, this shouldn't matter, but reality only coincides with theory in utopian worlds. In reality, top echelon universities all over the country are making special efforts to recruit black, Hispanic and Native American high-school students. Implicit in this practice is the notion that disadvantaged students deserve a break over privileged students in the admissions process; and since blacks, Hispanics and Native Americans are uniformly oppressed, recruitment of disadvantaged students should begin with race-based affirmative action.

The architects of this policy have the best of intentions: to provide one of America's greatest benefits—a top-notch private education—to a disenfranchised group of individuals. But the examples of these two applicants demonstrates how far affirmative action really is from giving disadvantaged students a break.



Aman Verjee

Brian is a passionate defender of preferential treatment, insisting: "Even if I have money, my race is and has been oppressed. The legacy of slavery in America will always keep me so." Brian adds, "As a visible minority, Aman, you are a victim of racism as well." Oddly, Brian can't remember a single instance of racism that he has ever had to confront. He has never been called "nigger," has gotten into the best schools, and drives the best cars. He has never been singled out and stopped by police, and store clerks are "always very polite" to him when he goes shopping. "But," he says, "my ancestors were stripped of their lands and their liberty by men who claimed to be living exemplars of the Rights of Man."

I can't even remember the last time Marie used a word like "exemplar" in casual conversation; the crowd she runs with simply doesn't use that kind of language.

The Case of Southeast Asians

We have come a long way in America, certainly far enough that the color of one's skin doesn't always coincide with being disadvantaged. Certainly, there are individual instances of disadvantaged whites and privileged blacks, such as the example of Marie and Brian, but there are also broad categories of disadvantaged people who have been arbitrarily excluded from preferential treatment in our admissions process.

For example, if the purpose of our policy is to remedy past discrimination, then shouldn't Poles in Chicago receive special treatment? How about the Irish from Boston? And why does Stanford accord a preference to Mexican Americans but not to Puerto Ricans?

Many groups have fallen through the cracks in our multicultural house of cards, but none more so than Southeast Asians. More than 30 percent of all Southeast Asian households in the nation now depend on welfare for survival, compared to 8 percent of households nationwide and 24 percent of black households; worse still, as much as 77 percent of Cambodians and Laotians in California are on welfare. A vast portion of this population includes refugees from Vietnam, three quarters of whom have less than a high-school education and only a limited proficiency in English. Even after a decade in the United States, one quarter of Vietnamese refugees are on welfare.

However, the admissions policy at Stanford—and at other American universities—classifies Southeast Asians simply as "Asian Americans," thereby disfavoring them for blacks, Hispanics and Native Americans. The success of Asian American entrepreneurs and professionals has fostered an image of a "model minority"—an ostensibly better educated, more affluent and stable segment of the population—which has precluded them from receiving special treatment in our admissions process, but evidence abounds that Asian Americans in general may not be as well off as many think. Their median per-capita income is \$10,500, compared to \$12,000 for whites. For every Asian family making more

than \$75,000, there's another one making under \$10,000. For every Asian American with a college degree, there's another one older than 25 with less than a high school diploma. And for every Asian American scientist or engineer, there's another one making minimum wage.

The Elite Minorities in College: 'Oppressed' vs. 'Disadvantaged'

Conversely, many of the beneficiaries favored by affirmative action by virtue of being 'oppressed' are not 'disadvantaged.' There is a subtle difference: being 'disadvantaged' connotes dealing with tangible burdens to an education. It can be a product of a learning dysfunction, a broken family, a single-parent family, uneducated parents, or even poverty—all of which have been found to correlate negatively with academic success in college.

'Oppression' apparently requires none of these objective burdens: one can be oppressed by virtue of lineage, but face no real obstacles in obtaining an education. If one were to control for factors like income, number and education of parents and the quality of residential schools, race plays a fairly small—and sometimes an even insignificant—role in academic success. And yet, by virtue of being 'oppressed,' a student might

ing lot one evening instructive; the last time I went through it, I counted no less than nine cars with a blue book value in excess of \$20,000.

The Alternative: Socioeconomic Affirmative Action

It's time that Stanford altered its affirmative action to address the needs of legitimately needy students: replaced the 'oppressed' standard with a 'disadvantaged' standard. In other words, eliminate the noxious box on the application that asks students for their race (remember when the Nazis did the same thing?) and offer special preference for all students of low socioeconomic class without regard to race.

Such a policy would be easy to implement. The apparatus is already there: Stanford makes exhaustive surveys of students' financial background in order to determine aid status. Using this information, the admissions office could easily extend special courtesies to legitimately disadvantaged students, i.e. students coming from backgrounds of poverty, single-parent families, or uneducated families.

Socioeconomic affirmative action tacitly admits that standardized test scores and grades do not offer a complete picture of a student, and subsequently corrects for distortions based on legiti-

Adult Recipients of Aid to Families with Dependent Children in California (1989)

Black	39% (12% of population)
Whites	38% (75%)
Hispanic	17% (9%)
Southeast Asian	2% (0.6%)
Other Asian	0.5% (3%)

gain special favors in recruitment by—and even admission to—the top universities in the world.

The implication then is that an affirmative action policy designed to help 'oppressed' minorities doesn't necessarily help 'disadvantaged' students. A survey of preferentially admitted students at UC Berkeley indicated that the mean family income of black students there is \$49,000, well above the median family income in America of \$32,000. Evidently, the kind of student that benefits from affirmative action is not the inner-city, welfare-mom, latchkey kid that we normally assume to be the beneficiary of special treatment. It is the two-parent, upper-middle class minority kid who reads about ghettoization in the newspapers, and volunteers at the local soup kitchen, but doesn't have to personally face the problems faced by poverty-stricken minorities and non-minorities alike.

Stanford won't release mean family incomes for minorities at our university—surprise, surprise—but anecdotal evidence abounds. In a Public Policy 105 class last spring, the professor conducted an unofficial survey of the incomes of all thirty-odd students, about eleven of whom were minorities. The median family for the class was almost \$100,000; only three students came in under \$30,000. Those insisting that minorities at Stanford are typically 'disadvantaged' products of the ghetto might find a walk by Ujamaa's park-

mate obstacles that are proven to correlate negatively with test scores. It also solves the problem of advantaged minorities getting special preference over disadvantaged whites and Asian Americans—a paradox that exists because in today's socially mobile America, most of the barriers that minorities once faced have been obliterated. Such a policy would continue to bring minorities to campus since minorities are statistically poorer than whites, but it would do so legitimately by focusing on those in straitened circumstances rather than by awarding spots in the entering class to a wealthy elite of minorities.

Once we concede that socioeconomic status is more relevant than race in telling us about the obstacles a student must face, we can use it to replace race as the primary informative factor in the admissions process. Such a move would finally undo the implicit assumption in the admissions policy that race is a descriptive and relevant characteristic, not an ascriptive and incidental characteristic of the nature Dr. Martin Luther King, Jr., once dreamt it would become for his four children.

Aman Verjee is a senior studying public policy and economics. He is the editor-in-chief of The Stanford Review.

COMMENTARY

Employer Discrimination at the CPPC

As the time draws near for many students to start searching for jobs, many Stanford students have already availed themselves of the services of the University's Career Planning and Placement Center in order to get a head start. However, many students have

By Thorvin Anderson and Curt Hallaway

raised complaints over several of the internships offered by the center and have expressed concerns over the equity of many programs targeted specifically for minority students.

Such programs like the Sponsors for Educational Opportunity (SEO), a program which provides minority students internships on Wall Street, and Inroads, which emphasizes careers in business, provide minority students with opportunities to receive highly sought after internships with major U.S. companies. Although such programs are designed to aid minority students, many on campus have questioned their validity; some students wonder if they give needy minority students a helping hand, or whether they serve as a form of institutionalized reverse discrimination by providing an unfair disadvantage to capable students who are not eligible to receive such internships.

"I think it [the internship program] should target the best individuals for the job," asserted sophomore Bob Seidel, adding that merit ought to be the criterion by which interns are chosen, not on the basis of race, color, creed or sex. Gautam Chatterjee also advocates limiting the minority focus of internship recruitment to securing a participant pool that is 50% or less minority. "If [the minority level] is below 50%, it's all right," Chatterjee states.

Vanessa Batia, who interned last summer with the investment banking firm of Goldman Sachs under the SEO program disagrees with the complaints leveled against such minority programs, arguing that it is necessary to expose minorities who otherwise wouldn't have an opportunity to see the different options fields first hand. "The goal is to try to bring in students who wouldn't normally be exposed to different career oppor-

tunities," says Batia. "I wasn't looking into investment banking before I got my internship."

Batia goes on to add, "In the past there has definitely been an 'old boy' network. This program doesn't necessarily compensate, but it allows students to form support networks. Many alumni out there working now, wouldn't be there if it were not for programs like SEO. I had a really good experience. I would most definitely recommend SEO: it's a very high caliber program."

Laura Chan, the head of the SEO program at Stanford, supports the program, stating that there is a strong demand on campus for such programs, and that internships such as SEO or Inroads help out students that would otherwise be overlooked. "We have had a lot of people interested in the program. We even have freshmen coming in and asking about the program," says Chan, estimating the number of prospective applicants to be "in the hundreds."

Chan also adds that the programs are funded by outside, independent sources, and are not funded through the CPPC itself. "The (SEO) program itself is national, not just based on campus. The CPPC doesn't fund the program, but we do help organize it on campus. We usually try to target minority groups on campus, Asian American, African American, Native American, and Chicano Latinos."

Stanford has had a long history of involvement in minority outreach programs. The University has worked with employers to address the alleged problem of underrepresentation in job fields through mentoring programs for fe-

male engineering students, minority internship programs, pre-professional student organizations, and the Career Shadow Program: Diversity of Opportunities, which allows students to spend a day with a professional whose gender, skin color or disability makes him or her unusual in a particular job field.

In an interview with Campus Report, Al Levin, assistant director for career recourses at the CPPC, who works with both recruiters and students, explained the necessity of minority programs, saying, "employers are often at a loss to understand why these students do not pursue career opportunities with their organizations."

"Letters are sent, ads are placed in campus newspapers and presentations are made, yet the numbers of applicants are small. Many ethnic minority and women students fail to consider certain career paths largely because of a lack of role models," said Levin, adding that many sought-after students almost literally can't see themselves in such fields.

"Letters are sent, ads are placed in campus newspapers and presentations are made, yet the numbers of applicants are small. Many ethnic minority and women students fail to consider certain career paths largely because of a lack of role models," said Al Levin, assistant director for career recourses at the CPPC

However, with an ever-shrinking job market, and the prospects of finding a job becoming ever smaller, one must wonder if it is fair for minority students to have an advantage over many qualified non minority students. Especially considering that these programs are the only internships that many companies offer, and that the experience gained and the contacts made will virtually ensure job placement upon matriculation. At a time when Stanford University is inundated by various debates over ethnic center funding, and ethnic studies programs, it is a time when the University must re-evaluate its commitment to multiculturalism.

The point is that certain kinds of students can get better educations at second tier institutions then they can in the Top Ten. Prestigious institutions acquire their academic prestige through scholarly research, often at the expense of undergraduate teaching; precociously brilliant students may thrive in a large research university, but students without extensive high school preparation and outstanding academic qualifications might well fare better at teaching institutions like Harvey Mudd or Franklin & Marshall.

◆ Verjee

continued from page 9

missions process because of their pigmentation will find themselves handicapped in the classroom, where merit and ability are manifestly important. We should seriously reconsider our admissions priorities if we are to ensure appropriate educations for all Stanford students. We could begin by re-emphasizing objective, proven measures of academic worth, particularly SAT scores and high school GPAs, and stop rationing places in our entering class by race. Ideally, Stanford should move to a meritocratic admissions policy that doesn't use quotas. The composition of the freshman class would probably look something like this: 1-2% blacks, 2-3% Hispanic Americans, 28-30% Asian Americans, and well under 1% American Indian.

I am not arguing that preferentially admitted minorities at Stanford are not qualified to attend college; I am arguing that they are being mismatched with the particular institution that they are attending. Most of the academic failures of minority students in America can be attributed to the systematic mismatching of institutions, and can be predicted beforehand by looking at SAT scores and high school grades.

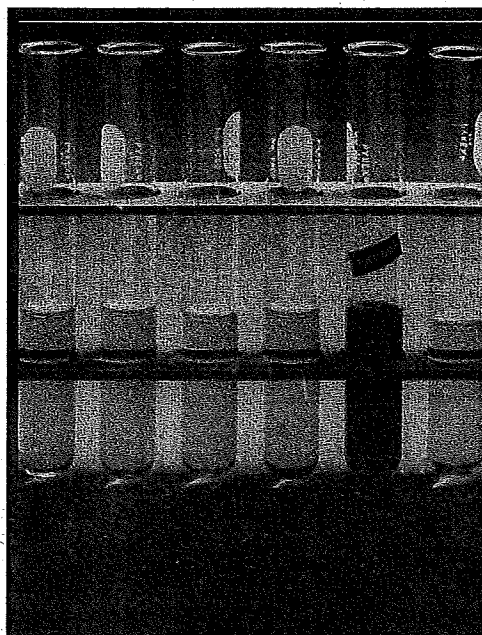
We should not delude ourselves into thinking that by turning down unqualified minority applicants, we are depriving them of a good education. The kind of student that gets an affirmative action place at Stanford would comfortably score a place at excellent institutions of higher learning where their skills are appropriate to the curriculum. The fact that Stanford is ranked higher than, say, Bennington, doesn't mean that it will necessarily provide a better education for every single student leaving high school. For example, the economics program at Stanford outranks Bennington's, but a student without a remarkable academic background may be better able to learn the subject at Bennington than at Stanford, where the subject is taught at a faster pace and where an advanced mastery of quantitative skills may be required to understand what is being said.

In fact, there is abundant evidence that students who are properly matched with lesser known institutions fre-

quently outperform graduates of top-ranked schools like Stanford. For example, over the last twenty years, 40 percent of "preferred" minority students who went to Harvey Mudd College went on to earn a Ph.D. — only 10 percent of those with similar test scores who went to Berkeley have Ph.D.'s. A recent survey of the deans of America's top law schools showed that minority graduates of Davidson College were rated higher than minority graduates from Duke, UCLA, and most of the Ivies. And the average MCAT score of a black Franklin & Marshall medical school applicant exceeded the black average at Dartmouth, Penn, Northwestern or UC Berkeley.

The point is that certain kinds of students can get better educations at second tier institutions then they can in the Top Ten. Prestigious institutions acquire their academic prestige through scholarly research, often at the expense of undergraduate teaching; precociously brilliant students may thrive in a large research university, but students without extensive high school preparation and outstanding academic qualifications might well fare better at teaching institutions like Harvey Mudd or Franklin & Marshall.

Amam Verjee is a senior studying public policy and economics. He is the editor-in-chief of *The Stanford Review*.



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SPECIAL REPORT

Winds of Freedom Foundation:

Founded in the 1993-94 academic year, Winds of Freedom is a joint project of *The Stanford Review* and the Intercollegiate Studies Institute. It consists of students, alumni, faculty, administrators, and Hoover Fellows dedicated to restoring a traditional liberal arts education to Stanford.

Over the summer, Winds of Freedom surveyed over 20,000 alumni on issues ranging from diversity to the University's anti-free speech code. The results were astonishing. On a number of issues, a vast majority of Stanford alumni disagreed with University policy. Alumni were most vocal in opposing Stanford's abolition of the Western Civilization requirement, imposition of an anti-free speech code, and segregation of races into ethnic theme dorms. Nearly all alumni were concerned with the general direction of the University and with our recent tumble in the academic standings in particular.

Winds of Freedom has formulated four recommendations, adapted for the 1990s, that address alumni concerns by seeking to bring the strengths of a liberal arts education back to our curriculum and our campus. To this end, we offer the following recommendations:

1. Take Steps to Stop Grade Inflation

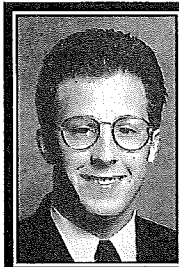
Much of the recent debate concerning University grading policy has centered around the question of: "When will we bring back the 'F'?" The return of failing grades is certainly a small victory for those in favor of a fair and accurate grading system, but we feel that the real question should be: "When will we bring back the 'C'?" After all, the 'F' is likely to be of little real value, limited to a minuscule portion of all grades while 'A's' and 'B's' continue to be much over-represented.

Eric Jackson's article on Page 10 points out the tremendous overall inflation in student grades since the late 1960s. Indeed, a recent survey indicated that 'A's' constitute 35 percent of all grades given to undergraduate students in the last 20 years, and fully 48 percent of all letter-grades during the same time. 'B's' make up 28 percent of grades at Stanford, and 'C's' and 'D's' contribute just 8 and 1 percent respectively. When the grades of graduate students is included, the portion of 'A's' rises to 57 percent; 'B's' make up a further 36 percent, leaving just 8 percent for the lower grades. Without a doubt, the distribution of grades is ridiculously skewed at Stanford, as it is at other prestigious institutions of higher learning.

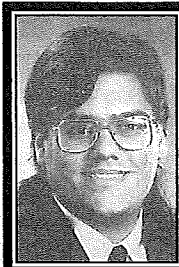
While current students undoubtedly fear that efforts to lower the "pivot" point from a low 'A' will increase their workload and stress levels, recently graduated alumni recognize that grade inflation has caused a tremendous amount of damage to the true spirit and effectiveness of academic grades. A grade of an 'A' is meant to be a distinction, not a rubber stamp. It is meant to recognize real talent and effort in a certain subject. Like the Holy Grail, it is supposed to be attainable only by those who make themselves better by attaining it.

However, words like "distinction" and "greatness" and "with honors" carry sub-

stantially less meaning when almost half of the class receives the same grade. When an average student who puts in an average effort is able to come away with the same grade as a talented student who works much



Adam Ross



Aman Verjee

harder, then the effort of the serious student is cheapened, and his incentive to succeed is marred.

With no 'F' and so many 'A's' at Stanford, students are being told that failure brings no sanction, success virtually no reward, and mediocrity at least a respectable shot at the once-distinguished 'A'. If failure is abolished then success — its opposite — cannot be legitimately recognized, any more than a meaningful 'heads' can be flipped from a one-sided coin. And when truly talented and industrious students are withheld their due acknowledgment, and mediocre students are saved from castigation and propped up as "victims" instead, then what does hard work bring that laziness and sloth does not?

Furthermore, grades in the job market follow the laws of supply and demand as well as any commodity. With 'A's' so easily obtained, is it any wonder that its value has diminished considerably in the last 20 years? Employers and graduate schools used to be accustomed to an 'A' grade that distinguished the top fifth or tenth of a class. However, now an 'A' conveys only that the recipient stood in the top half of his or her class. As the informational value of grades becomes decidedly diminished, employers and graduate schools might increasingly suspect the academic qualifications of an "A-student," and accept or hire students from other schools whose transcripts are more trustworthy. This directly hurts Stanford students who work hard and are qualified to meet certain tasks, but who miss opportunities because information is not accurately transmitted to their evaluators.

While Stanford recently voted to reinstate the 'F' grade (beginning in the 1995-96 academic year) more must be done to restore serious academic standards to the University. Stanford should recommend to all departments that a normal grading distribution should be followed, with a pivot-point of no more than a 'B'. Ideally, no more than 20-25 percent of all grades should be 'A-' or better; no more than 45-50 percent 'B-' to 'B+'; and 10-15 percent 'C-' to 'C+'.

Enforcement of such a policy is, of course, difficult, but steps can be taken to encourage compliance. First of all, Stanford

should compile a list of all courses taught at the University and publish the list every quarter in *Campus Report*. Each list should contain information on the distribution of grades in each course over the last year, and should further list the qualifications of the instructor. Copies of the list should be mailed out every quarter to graduate schools enrolling more than 5 Stanford undergraduates a year, and to all companies that recruit at the CPPC.

Second, the University should rank students based on their Letter Grade Indicators against their intradepartmental peers, and append the rankings to all transcripts.

Third, the University could formally reprimand departments that consistently give more than 30 percent of their students 'A's'. Such a reprimand could be appended to the transcript of each student graduating from the offending department in order to inform prospective employers and graduate programs of the problem.

Fourth, the University could stop funding and freeze faculty hiring of departments that continue to give grades out of all reasonable proportion to campus-wide goals.

2. Stop funding of "ethnic theme dorms."

Researching race relations at Stanford, Hoover Fellow John Bunzel (a Democrat and civil rights veteran) interviewed dozens of minority students, and found that almost 70 percent of blacks felt pressured by other students to subscribe to a set of "black"

'A's' constitute 35 percent of all grades given to undergraduate students in the last 20 years, and fully 48 percent of all letter-grades during the same time. 'B's' make up 28 percent of grades at Stanford, and 'C's' and 'D's' contribute just 8 and 1 percent respectively. When the grades of graduate students is included, the portion of 'A's' rises to 57 percent; 'B's' make up a further 36 percent, leaving just 8 percent for the lower grades. Without a doubt, the distribution of grades is ridiculously skewed at Stanford

positions and attitudes.

Part of the reason that minority students feel compelled to "ethnically cleanse" their values and beliefs is that Stanford perpetuates the myth that ethnic identities are homogenous and uniform. The University supports "ethnic theme dorms," residences wherein half of the students must belong to an ethnic minority. For example, in Ujamaa, half of the students are black, and Residential Education programs are designed to promote African American culture. In Casa Zapata, half of the students are Hispanic American, etc.

This policy effectively segregates the students into ethnic enclaves, where their residential experience amounts to little more than interaction with minority cliques. Integration — the commingling of students from diverse backgrounds — is expelled from dorm rooms, cafeterias, and Residential Education programs in these dorms. Ethnic dorms lack diversity and variety, and deliberately include or exclude students from their rooms on the basis of race and ethnicity; this practice endorses the

proposition that students, as a matter of policy, ought intentionally and deliberately to associate with others of the same race.

It is also a sad fact that ethnic dorms which deliberately exclude members of other races typically also adhere to a rigid orthodoxy of ideas, thereby excluding non-conforming members of their own race. This accounts for Dr. Bunzel's observations; there is virtually no diversity of opinion at Ujamaa on issues such as affirmative action, three-strikes-and-you're-out initiatives, welfare reform, and other issues characterized by the NAACP as "black issues"; conservative or libertarian blacks who reject the received wisdom on any of these issues will find Ujamaa a strangely uncomfortable living environment. The same goes for a Hispanic American student in Casa Zapata who deigns to oppose a boycott of grapes. Hence, ethnic dorms not only seek racial conformity and uniformity, but homogeneity and conformity of opinion as well.

We believe that Stanford should commit itself to the principle that ascriptive characteristics such as race, ethnicity, nationality, and gender have no intrinsic value in determining personality or identity. To belong proudly to a selected group that uses race or ethnicity, not merit or character, as the basis of its selection is profoundly immoral. By promoting separatism, Stanford's ethnic dorms are effectively stressing the differences between themselves and others. While nothing is intrinsically wrong with an acknowledgment of cultural differences, exclusion on the basis of these differences is what is known as *apartheid* in other parts of the world, and has no place at Stanford.

The ideal we seek is *e pluribus unum*: "out of many, one." It is to unite students of different backgrounds and races in an integrative atmosphere with other students, where our differences provide us with experience and knowledge. It is not the balkanization of our campus into separate, exclusive territories resembling *apartheid* townships.

3. Replace CIV with a Real Western Culture requirement.

Major changes in educational philosophy have been underway at Stanford University for at least the last ten years. These changes have been inspired by so-called "multiculturalists" who criticize what they refer to as the "Eurocentric bias" of a traditional liberal arts education. The multiculturalists allege that Stanford has suffered in the past from a provincial outlook that focuses overwhelmingly on European and Western culture, while shortchanging the histories and cultures of Africa, Asia, and Latin America.

One manifestation of Eurocentric bias often cited by multiculturalists is the notion that Christopher Columbus "discovered" America. Of course, from the perspective of the Europeans, Columbus *did* discover America; however, from the perspective of the Native Peoples living here before 1492,

The Culprits and Our Solutions

Columbus' arrival might better be called an invasion.

In an effort to eliminate this Western bias from its curriculum, Stanford replaced its immensely popular Western Cultures freshmen requirement with the current Cultures, Ideas and Values requirement in 1987. The CIV track seeks to do three things: 1) it intends to expose students to non-Western cultures by emphasizing the works of women and minorities from non-Western civilizations; 2) it revises and rewrites the traditional accounts of Western travelers and adapts anthropological approaches in order to reconstruct the history of African and Indian tribes, of women, and of other "oppressed minorities"; 3) it attempts to teach that all civilizations and cultures are equally good.

In order to fully understand the impact of what Stanford is trying to do, we must understand *what* Western culture is. From an historical perspective, Western civilization begins with the era of Greco-Roman civilization, continues through the Renaissance, the Enlightenment, and the Industrial Revolution, and ends with the modern civilizations of the post-industrial United States and Western Europe.

However, from an intellectual standpoint, Western culture is much more than that. George Reisman points out that it refers to what these eras *represent*; to wit, the laws of logic and an adherence to rationality; the entire known corpus of the disciplines of mathematics and science; the individual's self-responsibility and free will to choose between good and evil; the concept that man has natural rights that precede the state, i.e., the need for limited government and the value of individual rights; and, from this foundation, the validity of capitalism and, to date, the absence of a single successful Marxist experiment.

Once one accepts what Western culture is, one realizes that it is not exclusive of ethnic minorities or of those from other civilizations, because it is *not a product of geography*. Western culture is a *body of knowledge and values*, open to anyone who shares those values. Any individual, any society is capable of becoming "Westernized" in this sense; indeed, the rapidly industrializing economies of the Far East have become Westernized inasmuch as they rest on a foundation of capitalism, progressive technology, logic and mathematics.

We concede that, at various times, Western civilizations have practiced ideas that conflict with the precepts laid out above. However, one cannot use the exception to define the whole. That slavery, male-only suffrage, and state-mandated segregation have existed at various times in Western history does not mean that the Western model is invalid, but only that the theoretical model has spawned aberrations. It should not be inferred that we support, warts and all, Western culture; injustices should be excised from our presentation of the ideal Western civilization.

Our support for a Western Culture requirement does not mean that we wish to ignore other cultures and civilizations; on the contrary, we think that there is much to be gained from the study of other cultures. Many departments offer — and should continue to offer — courses that treat world civilizations academically, and which provide

students with a different perspective than that which they bring to Stanford.

However, one cannot deny that Western beliefs and values are the dominant belief system in the world today, and that they will continue to dominate the world into which Stanford students graduate. Thus, it is reasonable that Stanford students should maintain a certain familiarity and fluency with these ideas.

It is instructive to note that the opponents of the Western Culture who, a few years ago, were chanting "Hey, hey, ho, ho; Western Culture's got to go" weren't wearing saris or tribal headdresses; they were wearing T-shirts, blue jeans, and running shoes. Their selective rejection of Western

The mistake of cultural relativism — the weak perspectivist notion that all cultures are morally equivalent — is the mirror image of the mistake made by European racists of the past. While the latter started with the judgment of an inferior culture and worked backwards to a judgment of an inferior race of people, the former begin with the judgment of equal races and proceed to the conclusion of equal civilizations. Both make the same error: that culture is racially determined.

Culture presumably didn't extend to the medicines (penicillin) and technological advances (the microchip) that have been produced only by Western civilization; in this sense, the leading critics of the Western Culture requirement are themselves progressive, modernized, Westernized beneficiaries of a capitalist, individualist culture.

We also think that it is intellectually dishonest to present all cultures as morally equivalent. To do this would mean obliterating all distinctions between civilization and savagery. It would entail ignoring everything that Western culture represents — logic, philosophy, mathematics, reason — and equate a culture capable of launching spaceships to cultures that haven't yet cured rubella.

The mistake of cultural relativism — the weak perspectivist notion that all cultures are morally equivalent — is the mirror image of the mistake made by European racists of the past. While the latter started with the judgment of an inferior culture and worked backwards to a judgment of an inferior race of people, the former begin with the judgment of equal races and proceed to the conclusion of equal civilizations. Both make the same error: that culture is racially determined.

We believe that race is irrelevant to questions of morality and civilization. Western culture, therefore, is not a product of *dead, white men*, but the product of ideas: liberty, individualism, capitalism, technological progress, economic freedom.

4. Repeal the anti-free speech code

In 1990, Stanford enacted an amendment to its Fundamental Standard code of student conduct. The so-called Grey Interpretation — named for its author, Law School Professor Thomas Grey — proscribes speech that meets all three of the following conditions:

Part I. It must be intended to stigmatize individuals on the basis of sex, race, color, handicap, religion, sexual orientation or ethnic origin.

Part II. It must be addressed directly to the individual whom it stigmatizes.

Part III. It must make use of "fighting words," which are words that are commonly understood to convey direct and visceral hatred or contempt for human beings on the basis of their sex, race, etc.

We have major ideological concerns with the Grey code. Chief among them is that Part I above attempts to proscribe speech not on the basis of *form*, but whether or not it "stigmatizes" others in one of seven ways. That is, the speech code seeks to regulate not the *civility* of campus discourse by, say, imposing time/place restrictions upon students, but the *content* of campus discourse itself by banning speech that carries certain "stigmatizing" ideas. We feel that any kind of content-based speech code must be diametrically opposed to the free flow of opinion, for in proscribing speech on the basis of the ideas conveyed, content-based codes effectively shut those ideas out of the realm of debate.

This process is profoundly antithetical to the purpose of a university, which is to pursue truth and to transmit it to students. Truth cannot be had by proscribing any kind of ideas — even ideas deemed profane or offensive by some — for the following reasons:

First, the proscribed ideas may possibly be true, even though they may be insulting to certain minority groups. It is important at this juncture to recognize that truth is not a defense under our speech code. If a student expresses an opinion based on indisputable premises of fact and buttressed by unimpeachable logical steps, then even though it may stigmatize certain groups, it is a correct opinion nonetheless. To deprive a campus of correct opinions is not mere regulation of speech, but *suppression of truth*; it is *censorship* at best and *indoctrination* at worst and, we think, not even the regulationist of the most fevered brow and ardent demeanor would lend his voice to the advocacy of such a despicable practice.

Second, let us say that we can be certain that the opinions the University wishes to proscribe are entirely false. Even so, the false opinion should be allowed into the Stanford community. While it is true that publication of false and injurious opinions about a group of people does them damage, the harm done to the Stanford community as a whole is infinitely greater if we suppress the dissemination of false opinions.

For if we were to limit the minds of Stanford students to the received opinion, without ever exposing them to alternative

ideas fearlessly discussed, then the Stanford students would be reduced to merely parroting the truths taught them by the community. It is not enough that a student on this campus assents undoubtingly to what he is told to be true; he must also learn the grounds of this truth. A man who knows only one side of a question — even if that side is the correct side — without understanding the other position, has no rationale for preferring the truth to the prevarication. The logical position for him would be suspension of judgment, and, unless he were led by authority to the correct position, he would never arrive at it.

If false arguments are withheld, then the truth cannot be vigorously contested. The truth will become not an examined doctrine that withstands objections because it is well-crafted; it will instead be held by most people in the manner of a prejudice or a superstition. The truth will become an ill-considered dogma, a formal profession, a ritual mantra, maintained only because of the silence of its dissenters and the ignorance of the student body.

If Stanford students are to believe in the truth, they must be able to understand how it came about, and they must be able to refute all the common objections to their position. To do that, they must first hear these objections spoken by those who passionately advocate them and who will defend them in earnest, so that they may think about them and dispose of them.

Finally, we believe that the Stanford speech code goes beyond a merely content ban on certain ideas: it attempts to ban certain viewpoints as well. For instance, let us assume that a debate is taking place between an avowedly racist African American student who believes that whites are inferior to blacks, and a white student who believes in racial egalitarianism. The racial egalitarian may inveigh any epithet he lists against his opponent with impunity, but the black supremacist cannot malign his opponent in the same way without violating the first part of the speech code. For example, an insult such as "All racists should be drawn and quartered" is completely acceptable under the speech code, yet the statement "All whites should be drawn and quartered" would warrant immediate disciplinary action for its speaker from a University Commission.

The Winds of Freedom Foundation will formally present these recommendations, and the findings of its general survey of alumni, at its annual conference on November 17-18. We believe that Stanford's recent slide in academic standing can be reversed; we must begin with these four recommendations, and by implementing the proposals contained herein. There is nothing wrong yet with Stanford that can't be fixed; however, no opportunity should be missed in addressing the systemic problems we face.

Adam Ross is a senior studying political science. He is the director of Winds of Freedom.

Aman Verjee is a senior studying public policy and economics. He is the editor-in-chief of *The Stanford Review* and the Executive Director of Winds of Freedom.

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and
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Winds of Freedom is an organization for Stanford alumni, donors, students, and faculty interested in returning Stanford to high academic standards and free intellectual discourse. The conference will provide a forum for the discussion of current trends in higher education and their impact at Stanford.

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The Stanford Review

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AN INDEPENDENT STUDENT PUBLICATION

October 24, 1994

Stanford buys Ginsberg collection

By Michael Petras and Aman Verjee

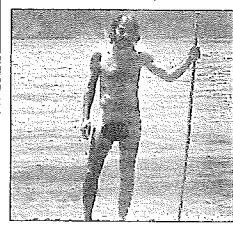
With its 1994-95 budgetary shortfall estimated to run \$18-20 million, Stanford University has paid over a million dollars for the personal archives of Allen Ginsberg. The 68-year-old poet was a major literary influence

News Analysis

in the counterculture of the 1950s and 1960s along with writers such as Jack Kerouac, Lawrence Ferlingetti and William Burroughs. This group of upstart cultural artists helped shape the Beat Movement that reached its zenith in the 1960s and blasted the American middle-class for having conformist and capitalist values.

It is a little ironic — and more than a little *bourgeois* — that one of the leading cultural rebels of this anti-materialistic movement should profit by millions of dollars by selling his lifetime collection of odds and ends. Stanford did not disclose how much they had paid to the author for his personal trove, but the collection was appraised at \$1.2 million five years ago. Anthony Angiletta,

Stanford's director of library collections, conceded that he had used that figure as a guide in acquiring the belongings. The final price tag is believed to be well over \$1 million, although both parties are keeping quiet about the exact sum. The University also refused to identify the source of the money for the acquisition; Angiletta indicated that the funds came from "university resources," but declined to elaborate.



One of Allen Ginsberg's best-known poems is *Noropa Hot Tub*: "The ocean is full of naked young boys and Neptune-bearded old men." From the looks of things, it seems brevity is the soul of his wit.

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Stanford considers Prop. 187

"Save Our State" immigration initiative supported by Gov. Wilson but unpopular in many circles on campus

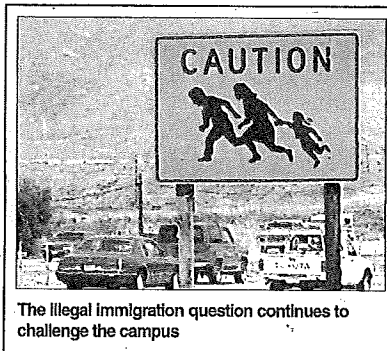
By Patrick Tools
Staff Writer

"People of California find and declare as follows: That they have suffered and are suffering economic hardship caused by illegal aliens in this state. That they have suffered and are suffering personal injury and damage caused by the criminal conduct of illegal aliens in this state. That they have a right to the protection of their government from any person or persons entering the country unlawfully."

So begins Proposition 187, the "Save our State Initiative," which has engaged and will continue to engage the interests of those in the Stanford community until the November 8 elections.

The proposition, which seeks to establish a working relationship between the state government and the Immigration and Naturalization Service (INS), would prevent the issuance of social benefits like non-emergency health care and public education to illegal immigrants. Medical institutions and schools will be required to verify the residency of all those seeking services. In addition, police departments will assist the INS in the process of determining the residency status of criminals suspected to be in the country illegally.

This initiative, supported by Governor Pete Wilson and opposed by Democratic challenger Kathleen Brown, was designed to remove from California the burden of dealing with a problem which is, according to the U.S. Constitution, under federal jurisdiction. Those supporting the measure assert that illegal immigrants do pose a short-term



The illegal immigration question continues to challenge the campus

economic problem to California, which accepts a disproportionately large number of illegal immigrants. Because of the lack of cooperation of the federal government in controlling the borders, a drastic measure like 187, they argue, is necessary to attract national attention to California's problem.

According to Michael Boskin, Professor of Economics and Chief Economic Advisor to President Bush, the proposal will send a profound message to Washington. Said Boskin, "While it has numerous flaws and should be con-

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Police chief addresses ASSU Senate

By Curt Hallaway & Nicole Cooper
Staff Writers

At last Tuesday's ASSU Senate meeting, Stanford Police Chief Marvin Harrington fielded prepared questions from several senators on a wide range of issues pertaining to law and order on the Farm. Senator Stephen Russell raised the question to the captain of whether or not "guns pose a significant problem at Stanford." Harrington explained that carrying guns on campus are a "serious crime." Specifically, it is a felony to carry a loaded weapon, and a misdemeanor to carry an unloaded weapon on campus. Harrington contended, however, that weapons are not a big problem on campus.

ASSU Beat

In response to questions about bicycles on campus, Mr. Harrington told the senate that there are problems with bikes blocking building entrances and handicap access areas. Harrington said that sometime in the future there is a possibility of having police on campus pick up bikes that block entrances and bring them to a central location. Owners would have to pay a fine to get their bicycles back. Harrington said that there is not enough money to create bike patrol on campus. "It's a good [suggestion]," he said. "But I don't have the resources to do it."

When asked how many people were convicted of stealing bikes last year, Harrington reported that the number was approximately 120. "Bike theft has become the crime of opportunity," the chief said. "We catch individuals stealing bikes; we catch groups stealing bikes."

Harrington went on to tell the ASSU Senate that there exists the possibility of moving to electronic locks on the doors of dormitories to help prevent sexual assaults and rapes. Stanford Students would be issued an ID card with a magnetic strip that would enable them to open the door. Citing the loss of the master key of Flo Mo as a problem with the present system, Chief Harrington said he is supportive of this change.

In other matters, the Senate chose one graduate senator, Robert Jonas, and one undergraduate senator, Irene Folstrom, to sit on the Special Fees Committee. The two introduced themselves to the Senate and gave brief speeches. The committee was chartered by Senate chair Nawaar Kaswari to come up with ways to reform the University's special fee system.

INSIDE THIS ISSUE

Famous Alums

During Reunion Weekend, the Chief decided to flip through the alumni directory and ask 'Where are they now?'

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Verjee vs. Ross

The current editor and the former editor have taken different sides in California's gubernatorial race. Who's pulling for whom?

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Big Bucks

Stanford just received its largest grant ever. \$77.4 million from alums Hewlett and Packard will fund the construction of a new science and engineering quad.

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The Stanford Review

AN INDEPENDENT STUDENT PUBLICATION
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FROM THE EDITORIAL BOARD

CA Governor's Race

Aman Verjee



Brown. Must get the intolerable Wilson out of the 1996 presidential race, even if it means screwing California with Mrs. Marx.

Michael Meyer



Wilson. Elections are often said to be a choice between the intolerable and the disgusting. Give me the disgusting and a barf bag.

Ed Malone



Wilson. Wilson has his faults, but Brown, if elected, would raise taxes even more than Wilson did and would be soft on crime.

Ryan Bounds



Decidedly Ambivalent. B. calls Clinton's Crime — read "pork" — Bill good law. W. is about as tough on budget as jello in the summer sun.

Jack Guerrero



Wilson. Our current governor, and closet Democrat, would lead California's demise at a slower pace than the radical Brown.

CA Senate race

Boddie. The Libertarian candidate is a better choice than Feinstein (8th biggest spender in Senate) or the liberal Huffington.

Huffington. At least Mike will vote with my block of senators and, besides, how much more embarrassment can Calif. take?

Huffington. Huffington is for lower taxes and free trade. Feinstein voted for the biggest tax increase in history.

Feinstein. Dedicated public servant at least we get to guess at her fiscal motivations for running; competent, if ideologically challenged, legislator.

Boddie. The pro-life libertarian is a better alternative than the Huffington-Feinstein ideological carbon-copy.

Prop. 187

Yes, but just barely. Provisions which cut spending offset the dangers posed by anti-immigration silliness.

No. 187 pits peoples' best instincts against the law, which amounts to sure-fire failure. Is another bureaucracy the answer?

No. In trying to stop a bad, we will create an even greater bad if we pass this proposition, for it opens up the door for government intrusion.

No. We can't solve this problem from the middle; open borders and abandon welfare, close them and keep it, or free immig, legalize and tax all workers.

No. Criminalizing hard-working immigrants will hurt California's economy and defy conservative principles.

Smoke Signals



Back in My Day...

Reunion weekend flooded the campus with a slew of people asking questions like: "You mean girls and boys live on the same side of campus?" and "Where in dee Hell did all this concrete come from?" The turn-back-the-clock bug has bit me, so late last night under Stanford stars, I flipped through my alumni directory and asked, "Where are they now?"

Dianne Feinstein



This whole campaign thing should be nothing new to The Honorable, considering she has held every office in the State of California, but from the looks of her current run for office it's clear that she hasn't learned much since she framed her diploma.

Jack Palance



Jack, do you really need a BA to tell you that you are a man?

Stephen Breyer



With your recent confirmation, shouldn't the U.S. Supreme Court be renamed the Stanford Supreme Court? Oh, and by the way, I liked that not-so-subtle disapproval of the Speech Code in your discussion of free speech.

Kathleen Brown



She keeps telling me to read her gubernatorial plan for California, but why should I read a plan that the author hasn't even read?

Michael Huffington



"Who do I make the check out to? United States Senate? How do you spell that?" Keep on truckin', Mike, you've got Dianne on the ropes.

GUEST COMMENTARY

Proposition 187: "Sinking Our State"

In 1942, during a period of sharp wartime hysteria, Californians blackened our state's good name by overwhelmingly endorsing the imprisonment of all Japanese-Americans, most of them native-born U.S. citizens and nearly all deeply loyal to America. Only one member of Congress, Senator Robert Taft of Ohio, the leading conservative Republican, opposed this measure directed against "enemy aliens," which otherwise passed unanimously. Robert Taft had principles.

Today in California, the current political hysteria about illegal immigrants, inflamed by cynical politicians who believe in nothing except their own election victories, has brought us to a similar moral precipice. Recent polls show strong public support for Proposition 187 — the so-called "Save Our State" initiative — directed against illegal immigrants.

At first glance, the measure, which prevents illegal immigrants from receiving public services, might appear quite attractive to opponents of California's overgrown social welfare state. After all, if rolling back the tide of wealth redistribution has to start somewhere, why not with recipients who aren't even legal residents? Add to this California's horrendous budget deficits, and any measure which purports to save tax money sounds extremely attractive.

Proposition 187 is extremely attractive, until one actually reads the measure, which very few people have done. In practice, S.O.S. would be an unimaginable disaster for California, with regard both to personal liberty and to state finance.

Consider a few simple facts. Illegal immigrants are *already* ineligible for state welfare assistance or food stamps, and their estimated use of medical services prohibited by S.O.S. is quite low, just a tiny fraction of one percent of California's huge budget. The only substantial government cost associated with illegal immigration is therefore through the public school system, which immigrant children attend. Illegal immigrants comprise 5% of Cal-

ifornia's total population and most are in their prime working years of 25-40; those with children obviously make use of the public schools, and the sums involved are quite sizable. So one of the central thrusts of S.O.S. is to root out these immigrant children (most of whom are actually American-born citizens) from the public schools.

How to do this? By turning public school teachers and administrators into *de facto* INS agents, forcing them to investigate students who, they suspect, may have a father or mother who entered the country illegally. Having schools encourage small children to inform on the status of their parents has heavy totalitarian overtones, and the practice was even abandoned by the Soviet Union soon after Stalin's death. In recent years, there have been scattered reports of American school drug-education programs that have proudly persuaded their elementary school enrollees to turn in their parents to the police. Christian groups have become alarmed over attempts by the schools to monitor home religious practices. Officially establishing our public schools as agencies of family investigation and arms of government law-enforcement, as Proposition 187 would do, is not a happy precedent for us to set.

The initiative only gets worse. Since the authors view immigrant workers with as much alarm as immigrant layabouts, the measure mandates a five-year prison sentence (or \$25,000 fine) for any illegal immigrant who uses false identity papers in pursuit of gainful employment. Although estimates vary, perhaps upwards of one million housemaids, hotel workers, or construction laborers have some form of false identity documents. California's bloated and inefficient prison system has average annual costs of \$23,000 per inmate, and turning hundreds of thousands of our hard-working, tax-paying, minimum-wage earning gardeners and busboys into prison inmates — at a cost of tens of billions of dollars — hardly seems a sensible means of solving our state's budget problems. A state that pays generous welfare benefits to those unwilling to work and imprisons those who do defies rationality.

And Proposition 187's public school provisions will likely increase the use of false papers. To prevent the public schools from expelling their 6- or 7-year-old children, many immigrant

mothers will undoubtedly risk a five-year prison sentence. For the land of liberty to flood its prisons with mothers convicted of identity-card violations seems an abomination.

How do the principal advocates of the initiative respond to these charges, which I raised with them privately during my recent Republican primary challenge to Governor Pete Wilson? One prominent S.O.S. supporter claimed that much of the initiative was "obviously unconstitutional" and would be thrown out by the courts. Another felt that judges would refuse to enforce a law so obviously unjust. But one fervent grass-roots activist had the simplest defense, arguing that S.O.S. was intended to be unworkable and bankrupt the state, thereby forcing Washington to finally "do something" to stop illegal immigration, such as planting landmines along our southern border. And these are the views of the initiative's supporters!

Despite its anti-welfare state trappings, then, Proposition 187 is extremely bad law and is not a measure that any sincere Californian of any political party should support. It also masks the real issue in California and elsewhere, which is not illegal immigration, but immigration period.

Nearly all those groups in the forefront of the crusade against illegal immigration are just as hostile to the legal kind, and are simply using the former issue as a stalking horse for the latter. And, aside from the environmentalists (who oppose immigration as a source of economic and population growth) and union-members (who dislike immigrants as much as Japanese cars and for the same reason), most of the remaining opposition to immigration has strong racial overtones, since the bulk of America's new (post-1965) immigrants have been Asians and Hispanics.

There is a great unspoken fear that the existence of ethnic separatist policies such as affirmative action and bilingual education combined with large-scale immigration will lead to the balkanization of our society (and that our welfare system will cause lesser-skilled immigrants to follow the black underclass down the path to a seemingly endless cycle of dependency and crime). The future growth of a gigantic and hostile immigrant underclass terrifies white middle-class Californians, who live in a state that is already 30% Hispanic and 10% Asian.

These fears are understandable, but unsupported by the facts. The overwhelming majority of California's immigrants are self-reliant and entrepreneurial, with strong families and low welfare-dependency and crime rates. America's Asian and Hispanic population is largely composed of immigrants and their children, and these groups seem more a source of hope than of fear.

Signs of economic advancement and assimilation are widespread. Just recently, a high school valedictorian from San Diego was discovered to have emigrated illegally from Mexico as a child; this follows a similar case of a Mexican illegal immigrant who graduated at the top of her class in San Francisco. In California the ten most common names of recent home-buyers include Martinez, Rodriguez, Garcia, Nguyen, Lee, and Wong, with the Nguyens outnumbering the Smiths 2 to 1 in affluent, conservative Orange County. In fact, nearly half of California's native-born Asians and Hispanics marry into other ethnic groups, the strongest possible evidence of assimilation at work. These intermarriage rates are actually far higher than those of Jews, Italians, or Poles as recently as the 1950s.

Or consider those places in America where the deepest (usually) unspoken concerns have already been realized, and white Americans of European origin ("Anglos") have already become a minority of the population. San Jose, California — the third largest city in California and the 11th largest in the nation — is one such example. It has a white population of less than 50%, and contains mostly Asian and Hispanic immigrants — 20% and 30%, respectively — including large numbers of impoverished illegal immigrants. San Jose has a flourishing economy, the lowest murder and robbery rates of any major city in America (less than one fifth the rates in Dallas, for example), and virtually no significant ethnic conflict.

Similarly, El Paso, Texas, is the most heavily Hispanic (70%) of any of America's largest 50 cities, but also has one of the lowest rates of serious crime or murder, with a robbery rate just half that of Seattle, an overwhelmingly white city of similar size. The American state with the lowest percent-

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Ron Unz

A GOP Agenda for the '90s

Republican candidates for the House of Representatives — both challengers and incumbents — are trying something different. With our GOP poised to take control of both Houses of Congress this fall, we have decided to tell voters exactly what to expect from a Republican House by publicly signing a Contract with America.

As a citizen, I am always suspicious of pronouncements from Washington. The Republicans' Contract with America is fundamentally different. Unlike business as usual, details have been specified and the proposal is made available for public scrutiny and debate. Typically, the House majority controls its legislation in secret, making bills — often thousands of pages long — available only at the last minute, so that debate is stifled and hurried, and thoughtful review and legislative changes impossible.

This Contract addresses significant congressional reform issues and promises to bring specific legislation to the floor within the first 100 days of a Republican majority in the U.S. House. The Contract with America contains many sweeping proposals that will make Government more responsible to

the people. Among them are some radical congressional reforms, such as limiting the tenure of committee chairmen to six years; a commitment to cut the number of Congressional staffers by a third; and a commitment to implement an honest numbers budget with a zero base line.

The Contract also promises that within the first 100 days of a Republican House, we will vote on issues that entrenched interests in Congress have thwarted. Among these are: a constitutional amendment to balance the budget (and to require a three-fifths majority for tax increases); two different term-limits amendments; and a permanent line-item veto.

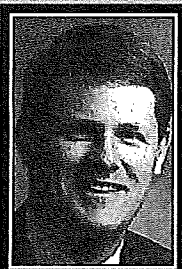
We also pledge to cut taxes on the middle-class and on families: we will institute a \$500-per-child tax credit, eliminate the marriage penalty, cut the capital gains tax, cut estate taxes, allow businesses to deduct the cost of new capital investment, and compensate property owners for regulatory damages. The Contract also prohibits the federal government from sending down unfunded mandates to the state governments, a course of action that allows Congress to take credit for federal programs while leaving local governments

to pick up the tab.

The Contract commits us to a real crime bill that will, among other things, remove federal impediments to the death penalty and help states to target repeat offenders. It achieves real welfare reform by stopping benefits for underage mothers and for anyone on welfare for more than five years. It prohibits outlandish jury awards in product-liability cases, and adds a "loser pays" rule to discourage frivolous lawsuits. It prohibits U.S. forces from serving under U.N. command, ensuring that the American federal government always remains sovereign over its soldiers. And the Contract increases to \$30,000 the Social Security limit on what can be earned without penalty, as well as establishing a dependent-care tax credit.

This Contract with America is different. It offers a series of proposals for open debate in considerable detail. It is positive. Unlike the health-care process which went on in secret, without input from the people, the Contract signals that things will be done differently in Washington in a Republican House. After all, since few of us are happy with the results of from 40 years of a Democratic House, perhaps we should change the management.

Ben Brink is a House candidate in this district for the Republican Party. He holds both a Bachelor's and a Master's degree from Stanford University, as well as an MBA from Harvard University.



Ben Brink

The Stanford Review

VOLUME XIII, NUMBER IV
OCTOBER 24, 1994

Founded MCMLXXXVII
Norm Book
Peter Thiel



EDITORIAL

Editorials represent the opinions of the editorial board on a topic relevant to the Stanford community. The board consists of the editor-in-chief, opinion editor, and three editorial writers, with additional input from other members of *The Stanford Review*.

The Screaming of the Lambs?

For a while, there, we were sure that Stanford University's Office of Admissions was in an irreversible coma, and the hushed debate in the *Review* offices last week centered predominantly around the propriety of euthanasia in cases where no living will has been drawn up.

However, last week the *cognoscenti* in the admissions office actually showed signs of life for the first time in five years: they announced the formation of a committee, to be chaired by Associate Director of Admissions John Reider and Physics Professor Doug Osheroff, that will explore our favorite issue: undergraduate admissions. Even more heartening than that is the fact that the Admissions Office has apparently taken seriously the *Review*'s recommendations on how to go about getting the best and brightest students in the country to come here. The committee says that it will "look specifically at getting top faculty involved in the recruitment of high school candidates, and will consider instituting an early decision plan."

In our October 3 issue, we ran an editorial called "The Silence of the Lambs" which offered the following suggestions (which have been pushed before in these pages by *Review* editor Aman Verjee):

"The University can also encourage faculty to help recruit the best students in their fields, allow for early admission; beef up financial aid, and follow Harvard's lead by accepting a Common Application."

Well, two out of four ain't bad, but it ain't good enough, either. In our editorial, we likened the admissions staff to lambs for the slaughter, and criticized their complacency in the face of declining yield rates and SAT scores. The new committee may be evidence that the University is no longer meekly accepting its fate, but it shouldn't stop halfway in its deliberations. It should also consider the following steps: adopting a Common Application; increasing financial aid with money that currently goes to frivolous projects (see the front page story); start interviewing applicants like other top schools do in order to create an interactive admissions and recruitment process; and increase the size of our overburdened admissions office (the Office of Admissions now has 11 people, down from 16 a couple of years ago. Harvard has 40 people, 21 of whom work on admissions alone).

These changes will help reverse the ten-year trend in yield rates, which have gone from 63 percent in the mid-1980s to 54 percent today. This in turn will reverse the declining trend in SAT scores and high-school GPAs, and hopefully return us to Number One.

The Beat Goes On

For those of you who haven't been paying attention for the last fifteen or so years, we got a consummate lesson in political correctness here this week. Beat poet and admitted pedophile Allen Ginsberg unloaded a lot of his junk on us for \$1 million or more, and no one on the faculty uttered a sound. Yet, when the Reagan Foundation offered to put a \$100 million library and research facility on campus for free — that's right, for free! — so many faculty members protested that you couldn't have beaten them all off with a stick (and don't think we didn't try).

That says something about what is and what is not acceptable here at Stanford. Faculty protested Reagan's free market ideology, but not Ginsberg's pedophilia. They protested Reagan's affiliation with the Republican party, but not Ginsberg's affiliation with NAMBLA. We demand an explanation from the faculty as to why Ginsberg is preferable to Reagan — in fact, we'll gladly offer column space to any professor bold enough to take up the challenge.

There is another, more narrow issue here as well. Frankly, we at the *Review* don't much care what Ginsberg does with his private life, nor do we care to judge his political beliefs or organizational affiliations: when it comes to buying one's wares, we will support purchasing anything that is of high quality (though we won't endorse the author's lifestyle). However, the works in question contain some of the worst claptrap we have ever had the mispleasure of reading. Stream-of-consciousness is fine as a tool for teaching novice writers to put thoughts to pen and paper, but it doesn't constitute an art-form any more than does throwing paint randomly at a wall. Surely, there are better ways to spend a million dollars than this.



If the Indians had had an immigration policy.

John Sununu

Chief of Staff for George Bush

Tuesday, October 25th

8:00 pm

Memorial Auditorium

Tickets go on sale in White Plaza Monday and Tuesday, October 24th and 25th, from 11:30 to 3:30.

Tickets are \$7.50 if you got a refund from the Speaker's Bureau, and free otherwise.

"MORAL VIRTUE AND NATURAL LAW"

Dr. Raymond Dennehy

Mortimer Fleishhacker Chair of Philosophy
University of San Francisco

Dr. Dennehy, one of the founders of the Ignatius Institute, will be discussing the contemporary importance of virtue in America today, as well as how we can lead virtuous lives in modern society. He will be using William Bennett's best-selling *Book of Virtues* to aid his presentation.

TUESDAY, OCTOBER 25TH

TRESIDDER: OAK LOUNGE EAST

7:00 - 8:30 PM

Sponsored in part by Stanford Students for Life
and Students for a Traditional Sexual Ethic

COMMENTARY

Who shall govern California?

The Choice is Simple: Vote for Pete Wilson over Kathleen Brown

An authority no less than Haley Barbour, Chairman of the Republican National Committee, calls the California gubernatorial contest the most important race in all of 1994 — and with good reason. A Pete Wilson victory instantly thrusts the Californian into the spotlight as a front-runner for the 1996 Republican Presidential nomination. And a loss likely sends the former Marine and U.S. Senator into political oblivion. Face it, California: the stakes could not be higher.

On more than one occasion, Governor Wilson has promised to serve out his full four year term if re-elected in 1994. Don't believe it. As a second term governor, Pete Wilson would have too many things working in his favor not to run in 1996: a front-loaded primary system in which early success and fundraising are even more crucial than normal; a Republican party so saturated with conservative hopefuls (Quayle, Gramm, Cheney, Buchanan, et. al.) that Wilson should garner a sizable chunk of the moderate vote; and, perhaps most importantly, a suitable distance from the anti-incumbent stench of Washington.

But first things first. Wilson must get by his November 8 opponent, Democratic heiress Kathleen Brown. My bespectacled colleague Aman Verjee believes voters should sacrifice California for the sake of the nation (easy for him to say, Mr. Verjee doesn't live in California — or even in the United States). Elect the liberal Brown, Mr. Verjee opines, so we can save the nation from a possible Pete Wilson presidency. My libertarian friend obviously hasn't thought this one through. A Kathleen Brown victory would be disastrous for our nation's largest state — and certainly a worse outcome than Wilson becoming a presidential prospect in 1996.

Make no mistake about it: Pete Wilson has not been a perfect governor. He has taken a great deal of criticism — and rightfully so — for his massive tax increase in 1991, the largest in California's history. His excessive regulations haven't done much to attract business. And his refusal to repeal the so-called "temporary" sales tax increase disappointed many conservative supporters.

Yet despite these errors in judgment, a fragile California economy, and a sub-par performance in the race's only debate, Wilson still holds a healthy lead over Brown. As is becoming more apparent by the day, Pete Wilson will win this race, and he'll win big. Simply put, he's on the right side of important issues, and too many voters fear that Kathleen Brown would wreck the state.

Let's look at the issues. First is crime, which nearly always tops voters' list of concerns. Two months ago, Brown confessed to the Sacramento Bee that crime would be a "so what" issue in the final months of the campaign — even though poll after poll suggested otherwise. After finally waking up to this reality, Brown decided to go on the offensive. So she used the only debate of the campaign to disclose that her daughter had been raped some dozen years ago (a revelation about which Brown's people claimed they had no idea), implying that this some-

how made her tough on crime. She blasted Wilson for having the gall to question her commitment on the issue.

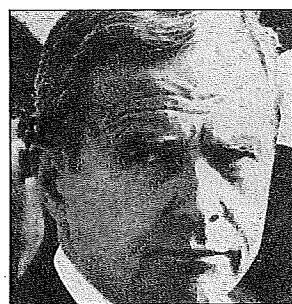


Adam Ross

What commitment? The fact is that Treasurer Brown doesn't have much of a record on crime. In 1975, for example, Brown conspired with the ACLU to oppose letting police officers go undercover to fight drug dealing on school campuses. Pathetic.

What she has proposed this year is hardly different from the liberal leniency practiced by her father and brother. Brown opposes the idea of mandating life without parole for rapists and child molesters (she opposed Wilson's "one strike" bill calling for just that). She also lobbied on behalf of President Clinton's crime bill (at a Washington, D.C., fundraiser), the largest social welfare program in this country's history.

Pete Wilson, on the other hand, has an outstanding record on crime. He was the nation's first governor to sign a "Three Strikes" law to keep violent criminals behind bars. Wilson also supports legislation calling for



Pete Wilson, the Incumbent, is buoyed by his hard line on immigration and his tough stance on crime. Kathleen Brown, the challenger, may be the spoiler for a Wilson run at the presidency in 1996.

"One Strike and You're In" for life for those who commit crimes like child molestation, rape, and arson. And what about parole? The Wilson Administration returned nearly 35,000 parole violators to prison in 1992, more than the federal government and the other 49 states combined.

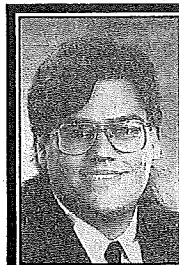
Brown — like her father and brother — opposes the death penalty in any and all circumstances. This view is sharply at odds with the majority of Californians, who believe that the death penalty is necessary for heinous crimes. And while Brown vows to uphold the death penalty, she may never even have the opportunity (if she, like her brother, appoints left-wing judges who deem capital punishment unconstitutional).

In contrast, Wilson's commitment to the death penalty is unwavering. While in the U.S. Senate, Wilson authored a bill calling for the death penalty for cop killers. And he became the first California Governor in 25 years to allow for the execution of two convicted felons.

Choice is not so simple, Stretch: Wilson must be stopped before '96

There is something about political parties — or *factions*, as Madison called them — that makes otherwise sensible people do the stupidest things. Take my esteemed colleague opposite, Adam Ross, for instance. He believes that next month's California gubernatorial election is a simple matter of party loyalty: he will render a party-line vote for Wilson and be done with it.

I, however, do not vote on party lines. I usually endorse Libertarians or libertarian Republicans, but I'd go to a protologist named Dr. Hook — heck, I'd join the Libyan air force — before I'd endorse a candidate of *any* party whose ideology conflicted with my own. Mr. Ross is willing to cast his ballot for a man whose governing philosophy is entirely at odds with the libertarian, conservative root of the Republican Party, simply because that man is on the Republican ticket; in doing so, Mr. Ross demonstrates that he is so rigid and stiff in his adherence to the party line that he makes Al Gore look like an autofellatio freak.



Aman Verjee

And finally, there is his fiscal record. In 1991, when faced with a state budget deficit of \$14 billion, he did exactly what

George Bush did in the year before: he raised income taxes by an amount equal to half the deficit, trusting the Democrats to make up the other half with spending cuts. Of course, in both situations, the cuts never materialized.

The California economy proved monument to the Laffer Curve: while state tax rates went up to an insanely high 11 percent, state tax collections have remained flat for three years running. Half a million people have fled the state since 1991, and almost 600,000 jobs have been lost. The budget deficit has spiraled out of control, and Wall Street has downgraded California's credit rating nine times on Wilson's watch.

Wilson has attempted to blame defense cutbacks for California's woes, but I can see through that like a shower curtain in the Kennedy home. Despite the contention that California has been bled dry by defense cuts, a fairly consistent 12 percent of federal spending has gone to the state every year from 1983 to 1992. In fact, since 1987, when the defense drawdown started, total federal expenditures in the state of California have risen from \$101 billion to \$140 billion a year.

And Mr. Ross wants four more years of this?

But, the argument runs, isn't Wilson better than the alternative, Kathleen Brown?

As far as California goes in the short-run, Wilson is better than Brown. But as far as the national picture is concerned in the long haul, Wilson is the worse candidate because he poses a danger that Brown does not: if Pete Wilson is re-elected next month (and particularly if he gets a Republican Lieutenant-Governor) then I predict that he will become the front-runner for the 1996 Republican presidential nomination, thereby threatening the nation at-large with his policies.

There is an excellent possibility for a united Republican party to nominate a Reaganesque ideologue in 1996, a conservative who will work with Republican majorities in the House and Senate to cut taxes, simplify and flatten the tax structure, obtain a line-item veto, deregulate the economy, slash spending, and balance the budget.

However, if Pete Wilson gets the nomination then we're in for four years of Bush-like tax hikes, deficits, regulation and increased spending. An historic opportunity to revitalize the country and revolutionize the government will be lost, and a disillusioned public may turn back to the Democrats in 2000 just as they did in 1992.

Far-fetched? Well, imagine for a moment how the 1996 Republican presidential primaries are likely to play out. California governors typically have excellent prospects in presidential races because they are well-financed, but, in 1996, a

I propose that Pete Wilson is a Republican like Benjamin Church was a Patriot. Oh, Wilson may technically be a member of the Republican Party, but he is a moderate Republican. Mr. Ross compares Wilson to Ronald Reagan, but the difference between a Reagan Republican and a Wilson Republican is like the difference between a strapless evening gown and a gownless evening strap. A quick look at Wilson's record as governor proves my point:

First of all, his anti-immigration rhetoric is antithetical to the principle of individual liberty that underpins the American Dream, cast in stone at the base of the Statue of Liberty, and an ideal which Republicans have a particular duty to uphold. Second, he is distinctly pro-choice. Third, his environmental correctness and support for individual health insurance mandates are hardly indicative of a great respect for property rights. Fourth, Wilson sided with the National Education Association last year and came out against Proposition 174, the school voucher initiative.

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Friends and Foes in the Imperial Congress

Who are they? Where did they come from? And most importantly: Who moved the rock? Why, they are our representatives, and from the looks of things, they are trying to bring Marx's dream of world revolution to fruition right here in America. Just who are the culprits that should be voted out of office — or at least flogged in the public square with a copy of the Federal Register? Well,

here's a breakdown. Congressmen are awarded scores that reflect their voting record in the 102nd and 103rd Congresses, which covered 1992 and 1993. The score is the percentage of significant votes that were "pro-competitive"; that is, for lower taxes, spending, deficits, regulations; more privatization, freer trade, etc. Source: Competitive Enterprise Institute annual surveys, 1992 and 1993.

1. Pork Barrel Subsidies. On votes involving legislation with local, particularized benefits to special interests, but diffuse costs to the national taxpayer, Congressmen lived high on the hog. They voted against pork barrel subsidies 35 percent of the time in the House (based on 28 votes), and 32 percent of the time in the Senate (based on 28 votes).

Republicans averaged a score of 61 in the House and 56 in the Senate. Democrats averaged 19 in the House and just 14 in the Senate.

2. Budgetary control. When it comes to fiscal restraint, both the House and the Senate opposed spending bills 46 percent of the time. This index includes all legislation related to discretionary spending, votes on entitlement spending and budgetary procedures, and covers 62 votes in the House and 50 in the Senate.

Republicans averaged a score of 81 in the House and 73 in the Senate. Democrats averaged 24 in the House and 26 in the Senate.

3. Least and simplest taxes. In addition to stealing your money, Congress likes to make things complicated. This index covers 26 votes in the House, and 44 in the Senate, that dealt with tax policy. Members get a point if they vote to cut taxes, or to simplify the tax system. House members favored lower taxes 44 percent of the time, and Senators did so 47 percent of the time.

Republicans averaged a score of 86 in the House and 79 in the Senate. Democrats averaged 19 in the House and 23 in the Senate. 80 House Democrats have the dubious distinction of having voted for every single tax hike.

4. Deregulation. The 102nd and 103rd Congresses saw 42 House votes and 32 Senate votes involving regulatory policy. House members support less regulation 36 percent of the time, while Senators voted to deregulate 44 percent of the time.

Republicans averaged a score of 66 in the House and 67 in the Senate. Democrats averaged 18 in the House and 26 in the Senate.

TOTAL. All told, the above subindexes and miscellaneous other votes on the environment, free trade, privatization and the like give us a sample of 234 House votes and 192 Senate votes.

Republicans averaged a score of 71 in the House and 69 in the Senate. Democrats averaged 20 in the House and 23 in the Senate.

House

		1	2	3	4	TOTAL
TOP GUNS						
Dick Armey	Tex.	93	100	95	95	97
Phil Crane	Ill.	97	97	100	95	96
William Dannemeyer	Cal.	94	100	100	89	96
Bob Stump	Ariz.	90	100	100	95	96
Mel Hancock	Mo.	90	100	92	86	96
David Dreier	Cal.	88	100	100	86	92
Dana Rohrabacher	Cal.	93	97	92	90	92
Bill Archer	Tex.	97	97	100	95	96
John Doolittle	Cal.	85	100	100	86	91
Dan Burton	Ind.	90	97	100	95	91

REPUBLICAN LEADERSHIP

Newt Gingrich	Ga.	65	88	92	65	76
Bob Michel	Ill.	38	76	92	70	64
Dick Armey	Tex.	93	100	95	95	97

LOWEST-RANKING REPUBLICANS

Bill Green	NY.	18	40	38	29	31
Sherwood Boehlert	NY.	29	60	46	19	34
Frank Horton	NY.	9	40	77	50	35
Robert Davis	Mich.	12	54	57	50	36

COM SYMPS

		1	2	3	4	TOTAL
Tom Foley	Wash.	0	0	0	0	0*
Bill Alexander	Ark.	0	5	0	6	4
Dick Gephardt	Mo.	2	7	0	5	3
Norman Mineta	Cal.	6	4	0	5	3
Louis Stokes	Ohio	3	7	0	5	4
Dante Fascell	Fla.	0	0	0	11	4
David Bonior	Mich.	6	4	0	5	4

* House speaker Tom Foley voted only 8 times in the 102nd Congress and 10 times in the 103rd.

DEMOCRATIC LEADERSHIP

Tom Foley	Wash.	0	0	0	0	0*
Dick Gephardt	Mo.	0	4	0	8	3
David Bonior	Mich.	6	4	0	5	4
Dan Rostenkowski	Ill.	5	7	8	10	8

* House speaker Tom Foley voted only 8 times in the 102nd Congress and 10 times in the 103rd.

HIGHEST-RANKING DEMOCRATS

Gary Condit	Cal.	65	87	77	43	65
William Orton	Utah	59	70	67	76	65
Tim Penny	Min.	75	69	31	62	64
Earl Hutto	Fla.	55	73	92	50	61
Charles Stenholm	Tex.	54	71	54	65	61
Ralph Hall	Tex.	41	71	62	85	58
Liz Patterson	S.C.	56	71	62	48	56

Senate

		1	2	3	4	TOTAL
TOP GUNS						
Jesse Helms	N.C.	89	100	100	100	99
Robert Smith	N.H.	86	96	100	88	93
Larry Craig	Ida.	69	100	95	100	93
Steve Symms	Ida.	69	96	95	100	91
Malcolm Wallop	Wy.	69	100	94	86	91
Hank Brown	Col.	79	100	95	88	88
Trent Lott	Miss.	62	88	100	81	83
Phil Gramm	Tex.	62	87	95	94	82
Jake Garn	Utah	54	88	83	100	82
Connie Mack	Fla.	62	79	91	92	79

REPUBLICAN LEADERSHIP

Bob Dole	Kan.	64	76	77	81	75
Alan Simpson	Wy.	79	76	76	69	73
Orrin Hatch	Utah	75	64	90	69	73

LOWEST-RANKING REPUBLICANS

Arlen Specter	Pa.	14	24	37	32	35
Mark O. Hatfield	Ore.	14	20	57	31	37
James Jeffords	Vt.	43	54	38	19	39
Bob Packwood	Ore.	14	32	57	38	40
Al D'Amato	N.Y.	14	43	77	25	46

COM SYMPS

		1	2	3	4	TOTAL
Albert Gore	Tenn.	0	17	11	0	7
Brock Adams	Wash.	0	4	14	6	8
Paul Sarbanes	Md.	7	8	9	0	9
Ted Kennedy	Mass.	8	8	9	6	10
Paul Wellstone	Minn.	23	12	14	0	12
Claiborne Pell	R.I.	7	0	14	12	12
John Kerry	Mass.	21	8	5	6	13
Tom Harkin	Iowa	15	10	27	0	13

DEMOCRATIC LEADERSHIP

George Mitchell	Me.	14	12	18	19	16
Jim Sasser	Tenn.	14	24	14	31	19
Wendell Ford	Ky.	0	24	36	50	28
Lloyd Bentsen	Tex.	25	32	23	50	29
Daniel Patrick Moynihan	N.Y.	21	24	23	31	23

HIGHEST-RANKING DEMOCRATS

Richard Shelby	Ala.	14	56	82	69	50
Howell Heflin	Ala.	14	56	50	56	44
Ernest Hollings	S.C.	7	32	59	50	38
David Boren	Okla.	15	39	19	60	35
Christopher Dodd	Conn.	21	36	32	19	31
Sam Nunn	Ga.	21	54	23	27	31

The Great Equivocators in the 103rd Congress

Just when you thought they'd gone away into gulag for good, your Congressmen are streaming back home from Washington, D.C. They want to get re-elected. They know that the American voter wants spending cuts, and many sponsored bills to that effect in Congress. But promising to cut spending is different from actually voting to cut spending. The following Congressmen sponsored bills

that, on net, cut spending, but ended up voting for a huge net increase in outlays. Perhaps they went to Boy Clinton's alma mater: Tax U. Clinton remains the undisputed master of the prevarication. In addition to the outright lies of his that I documented last week, I include just some of his broken promises.

— by Aman Verjee, with special thanks to Dick Arney and Tom Miller

HOUSE OF THIEVES

SCOUNDREL		PROMISED SPENDING (MILLIONS)	ACTUAL SPENDING (MILLIONS)	DIFF
Ros-Lehtinen	Fla.	-\$53,169	\$55,657	\$108,826
Spratt	S.C.	-25,065	83,008	108,073
Lancaster	N.C.	-20,264	85,530	105,794
Cramer	Ala.	-15,346	86,573	101,919
Roemer	Ind.	-34,792	61,965	96,757
Fowler	Fla.	-32,595	62,063	94,568
Darden	Ga.	-418	88,662	89,040
Spence	S.C.	-26,565	61,801	88,366
Visclosky	Ind.	-14,855	66,533	81,388
Smith, R.F.	Ore.	-28,949	51,960	80,909
Rogers	Ky.	-789	77,867	78,656
Schenk	Ca.	-21,553	56,704	78,257
Machtley	R.I.	-2,260	75,548	77,808
Bentley	Md.	-1,181	73,457	74,638
Mazzoli	Ky.	-5,189	68,861	74,050
Hamilton	Ind.	-3,176	70,824	74,000
Emerson	Mo.	-14,917	57,108	72,025
Wilson	Tex.	-9,948	61,307	71,255
HUFFINGTON	Ca.	-14,774	55,341	70,085
Coppersmith	Ariz.	-9,948	57,349	66,830
Kaptur	Ohio	-9,186	51,534	60,720
Klecza	Wis.	-989	58,502	59,491
Gillmor	Ohio	-84	58,716	58,800
Sharp	Ind.	-3,877	54,598	58,475
Brewster	Okl.	-1,082	52,879	53,961

IMPERIAL SENATE

SCOUNDREL		PROMISED SPENDING (MILLIONS)	ACTUAL SPENDING (MILLIONS)	DIFF
Ernest Hollings (S.C.)		-\$60,037	\$68,126	\$128,163
Frank Lautenberg (N.J.)		-38,044	66,314	104,358
Robert Byrd (W. Va.)		-8,024	78,390	86,414
Jim Sasser (Tenn.)		-11,083	74,418	85,501
John Kerry (Mass.)		-9,625	69,005	78,630
Byron Dorgan (N.D.)		-585	70,552	71,137

Red — Democrat
Blue — Republican

SOURCE: NATIONAL TAXPAYER'S UNION

The NTU's VoteTally system keeps track of how much your representative is spending. It is immediately available to anyone on the CompuServe system — just type in "GO TAXPAYER" — and will give quickly provides the amount of spending that a representative has endorsed (BillTally) or voted for (VoteTally).

Speak . . .

"I will cut taxes on the middle-class. . . . Paul Tsongas says a middle-class tax cut is pandering. This isn't pandering. . . . I'm going to rescue the middle class."

— February 14, 1992

"The real mistake [George Bush] made was the 'read my lips' pledge in the first place. You just can't promise something like that to get elected if you know there's a good chance that circumstances may overtake you."

— last presidential debate, Oct. 19, 1992

"I will cut taxes on the middle class."

— same debate, same day

"We are coddling dictators [in China]. . . . I will link trade favors to China's human rights record."

— July 21, 1992

"I think that President Bush played racial politics with the Haitian refugees. I won't be shipping those poor people back."

— primary speech, Fla., March 27, 1992

"We have not ruled out the use of force in Haiti."

— April 16, 1994

"Never again should Washington reward those who speculate in paper, instead of those who put people first."

— Putting People First, p. 8

"I would present a five-year plan to balance the budget."

— "Larry King Live," June 4, 1992

"My plan is basically 50 percent tax increases, 50 percent spending cuts for the first four years."

— February 19, 1993

"My plan will cut the deficit in four years and assure that the deficit will fall in each year after that."

— June 20, 1992

"[President Bush] hasn't fought a real war on crime and drugs. I will."

— Democratic Convention, July 16, 1992

"I believe that drug abuse is as serious a problem as we have in America."

— April, 1993

"I think that it's very important that my Cabinet look like America."

— June 9, 1992

ClintonSpeak

"I will not raise taxes on the middle class."

— January 22, 1993

"I can't understand why the press thinks that the middle-class tax cut is a central part of my platform."

— January 18, 1993

"I had hoped to invest in your future without asking more of you. And I've worked harder than I've ever worked in my life to meet that goal. But I can't."

— February 15, 1993

"Today, we will be renewing China's MFN status. . . . We hope to see continued improvement on the human rights front."

— May 28, 1994

"Administration to Defend Bush Haitian policy in court"

— Washington Post headline, Mar. 1, 1993

"We definitely will not be using force in Haiti."

— Sec. of Defense, William Perry, "Larry King Live," April 23, 1994

"Plan for Invasion of Haiti Outlined By U.S. Officials"

— NYTimes headline, September 14, 1994

"First Lady profited by \$100,000 in cattle futures."

— Wall Street Journal headline, February 1994

Deficit after the 5th year of Clinton budget: \$233 billion

— "A Vision for Change," Clinton's budget document, February 1993

Net new taxes: \$267 billion. Net spending cuts: \$55 billion. [83% new taxes, 17% new spending cuts.]

— Congressional Budget Office Analysis of Clinton budget, March 1993

Deficit in 1998 with Clinton Budget: \$233 billion

Deficit in 2001: \$401 billion

— "A Vision for Change"

"White House revokes the policy of random drug testing for White House staff, and announces that the Office of National Drug Control Policy will be cut from 146 positions to 25."

— press release, February 9, 1993

"We should look seriously into studying the effects of legalizing drugs."

— Surgeon General Joycelyn Elders, January 23, 1994

"Clinton has at least nine millionaires on his cabinet, more than either George Bush or Ronald Reagan before him."

— AP, January 27, 1993

"As far as I can remember, I've only broken one campaign promise."

— Bill Clinton, April 25, 1993

COMMENTARY

Widening the Diversity Tent: Enter Pedophilia

Recently, Stanford University embarked on another episode of seemingly unextraordinary, reckless fund-funneling in the name of multiculturalism, but the new occasion is more repulsive than the typical university pork-barreling. Not only has the University reached a heightened level of profligate spending on ridiculous projects, but, even more despicably, it has honored a present-day relic of the "hippie" movement — a sixties leftover who continues to rally against the Establishment on the radical crusade for "peace," ecological awareness, and sexual revolution. Your Resident Assistant? A Columbae or Synergy student resident? A Fire Truck House minion? These would be good guesses were I not addressing current news, and had the issue not involved a one-shot deal upwards of \$1 million from unspecified university funds. I am referring to Allen Ginsberg, a homosexual poet and avid leader of the pro-pedophile movement in America: a public advocate for what is arguably society's most deplored criminal deviance. Unbelievably, he is also the man from whom the University has agreed to purchase a set of cultural and literary collections.

Early this quarter, the University agreed to purchase this set at a price tag of between \$1 million and \$3 million. Armed with the gun of liberal smugness, and with the shooting already scheduled, Stanford bureaucrats are aiming the bulky bullet of royalties right into the pockets of Ginsberg himself. The generous Stanford stipend is sure to provide Ginsberg with enough leisure to dedicate himself more fully to personal activities, like leading the North American Man-Boy Love Association torch in the march to sexual emancipation. Apparently, Ginsberg will stop at nothing until he feels fully sexually liberated — thanks to Stanford, money will certainly be no barrier.

When it takes a conservative student newspaper to attempt to convince the University that rewarding a champion of child molestation is a mistake, one knows the axe should have been dropped on Stanford's sexual revolution a long time ago. Unfortunately, the Administration has not let down its moral-relativist guard, and the result is a university plagued with residential sexual education, condom giveaways, pro-homosexual campaigns, and now this most recent addition to recognized diversity. As Stanford's multicultural tent is now bigger than we ever imagined! As



Jack Guerrero

if the nature of the man Stanford is now rewarding were not enough to spawn the budgetary gun-control movement at Stanford, analysis of the actual collection should obviate all doubt and even convince the most liberal of the "open-minded" at Stanford to withdraw all support from the acquisition of the Ginsberg collection.

It has been confirmed even by major academicians: Ginsberg's literary goodies all have little academic significance. A recent New York Times article characterizes Ginsberg's stream-of-consciousness, want-to-be-Eliotian works as lacking the respect American English professors and scholars of literature attribute to works worthy of university study. In fact, a Stanford English professor was quoted as saying, "if he came down tomorrow, nine-tenths of the English department wouldn't turn out for him." To fail the modern-day standards of political correctness and academic non-seriousness most English departments in the country have embraced, the Ginsberg works must either be conservative commentaries, or of the quality my 8-year old cousin could produce! Certainly, his reputation is inconsistent with the former. So, if his literary works have little academic value, what is it about the collection the University finds so treasurable, enough to pay so much money for, and even to restrict the most radical ideologues of the English-major variety from access? (Only a select group of researchers will be granted exhibit privileges.) Surely, someone must have found some glimmer of value.

Stanford's Director of Collections, Anthony Angiletta, offers some insight. He states that the acquisition "advances Stanford University Libraries' efforts to develop distinguished collections in support of the study of 20th-century culture." Mr. Angiletta's university-funded world-tours in search of special collections has kept him away from school too long. This "treasure chest" includes personal items such as Ginsberg's shoes, snippets of his beard, and thousands of other incredibly insipid items. If these make up his idea of distinguished cultural collections of the 20th century, he hasn't given the period a good look. He may not have a degree in cultural anthropology, but for someone living everyday of his life in the century,

this is not impressive. Though Mr. Angiletta pulls the funding trigger, the real culprits are the administration officials supplying Angiletta with the ammunition.

Stanford continues to lead political correctness to new levels of inanity, and they couldn't have picked a better example. The battle is over, and the multiculturalists have apparently won. Rewarding the man Time magazine refers to as "the leader of a pack of oddballs" earns Stanford the crown of liberalism. Paying millions of dollars for an exhibit whose value amounts to little more than a pair of sneakers is not scholarship — it's crime.

In the mid-1980s, Stanford had real opportunity to contribute to academic resources when the Reagan Foundation offered the chance to house, free of charge, the \$50 million Reagan Presidential Library and archival facility that would have offered unlimited research opportunities to the Stanford community. But Stanford liberals rancorously protested, influenced the administration and ultimately kicked the library proposal out of the university. Stanford rejects a free \$50 million major research library and the chance to honor a real American hero, and welcomes Ginsberg's collection of no academic value, at a cost of over \$1 million, and honors a promoter of pedophilia. You figure it out!

The university could have at least acted a lot smarter. By rewarding equally respectable weirdos from the student body for a fraction of the costs, the political correctness would have continued with business as usual, and with actions unnoticed. Actually, the Review would eventually have caught on, but we would have found it in the ballpark of absurdity, still risible and not quite in the range of disgust to which this most recent affair brings Stanford liberalism.

Jack Guerrero is a senior studying economics. He is an opinions editor of *The Stanford Review*.

FOR THE RECORD

✓ Stanford philosophy majors convened a meeting yesterday to ponder the question: If a tree falls in the middle of a Democratic campaign rally which Bill Clinton has promised to attend, does it make a sound?

✓ Knee-cap shattering logic once again exploded from the hallowed halls of *The Stanford Daily* last Monday. While reflecting on the five-year anniversary of Loma Prieta, the *Daily* attributed our falling matriculation yield rate to Loma Prieta. They conveniently ignored the fact that our yield among admitted students had been falling since 1987, a good two years before the earthquake, and has simply continued along its downward path.

✓ Congrats to Naomi Wolf, who jetted into campus last Monday night and preached a brand of feminism that will not only sell her books, but also build a coalition among women that is actually a step forward. Wolf promoted a fight for change from within organizations by using market economic strategies instead of the legislative terror that has proven to be an inept impetus for change. Wolf also decried the race and gender focus of so many groups on campus and — in a truly conservative suggestion — recommended that ethnic and women's groups open their meetings and events to the campus as a whole. Granted, Wolf was talking in idyllic generalities, but she successfully separated herself from the MacKinnon camp of feminism that repulses so many men and women alike.

✓ Supreme Court Justice Stephen Breyer returned to campus (and its fine collection of deaf administrative ears) last weekend and proceeded to administer the thrashing of a lifetime for Stanford's Speech Code. In his discussion of free speech during his address at Frost Amphitheatre, Breyer implored that "the principles that underlie free speech might be appropriate for [private] institutions to apply even if the law doesn't make them do it. The principle, such as the First Amendment, is there so that people who are very unpopular can speak — people whose views we don't like." Breyer's comments are hardly complex and esoteric; rather, they are common sense. Then again, nobody has ever accused Stanford administrators of having common sense.

✓ Also as part of the Homecoming Weekend activities, a forum of Stanford economists was convened. The forum came to the conclusion that (gasp...gag...does anyone know the Heimlich?) our current tax structure discourages individuals from saving. Well, now, did it take a Ph.D. to come to that conclusion? Any H&R Block hack could have told me that in a second, but any revelation like this at "government-can-do-no-wrong" Stanford gets headlines. Buy a bottle of champagne and store it in your basement, for if this is the level of fiscal policy understanding that we as a society have reached, then God knows when we'll figure out what monetary policy to combat inflation with.

✓ On second thought, you can drink that champagne: the Feds have exonerated Stanford for the indirect cost screw-ups. We bet that a certain biology professor is now wondering why he resigned as University President.

◆ Unz

continued from page 3

age of whites in the populations (about one third) is Hawaii, hardly notorious as a boiling cauldron of ethnic conflict and racial hostility between whites and non-whites. And the statistics show that, despite its heavy urbanization, Hawaii has nearly the lowest serious crime rates of any state in the nation.

Furthermore, immigration remains crucial to some of the most important sectors of the American economy. Silicon Valley, home to my own software company, depends upon immigrant professionals to maintain its technical edge. A third of all the engineers and chip designers here are foreign born, and if they left (or if their future inflow were cut off), America's computer industry would probably go with them. In fact, many of the largest and most important technology companies of the 1980s in California and elsewhere were created by immigrants, including Sun Microsystems, AST, ALR, Applied Materials, Everex, and Gupta. Borland International, a premier software company worth hundreds of millions of dollars, was founded by Philippe Kahn, an illegal immigrant. These immigrant companies have generated hundreds of thousands of jobs for native Americans and have provided billions of dollars in tax revenues. Without

immigrants, America's unchallenged dominance in the industries of the future such as computer hardware and software, telecommunications, and biotechnology would be lost.

Today's immigration troubles are an inevitable consequence of our massive social welfare state, in which newcomers may become mouths to feed rather than hands to work. But instead of rolling back government spending, implementation of Proposition 187 would extend government control and investigation into all of our lives and those of our children and bankrupt our state several times over. If it wins, California loses.

Illegal immigrants are viewed as California's unwanted houseguests, who all too often raid the refrigerator or leave the bathroom dirty. One very effective means of driving away such unwanted houseguests is to set your own house on fire and burn it to the ground. That's the Proposition 187 solution to illegal immigration. It would be a financial and social disaster for California, and the worst moral disaster for our state since the internment of the Japanese-Americans. No sincere Californian should support it.

Ron Unz is a Silicon Valley entrepreneur. Last June in the California primary, he mounted a challenge to Governor Pete Wilson, and received 34% of the vote.

COMMENTARY

Socialized Medicine Still Looms

I am thinking of voting Republican for the first time this year. Oh, I've voted for individual Republicans before, but I'm thinking about voting Republican when the only thing I know about the candidates is their party.

The reasons are Bill Clinton and Hillary Rodham. The United States came within a whisker this year of socializing medicine. That is one seventh of the U.S. economy. For sheer scale of communization the only historical parallels are the Soviet Union and Communist China. If some form of socialized medicine is promulgated in the next legislative term, the combination of command-economy stupidity and the shifting of yet another huge block of costs from old to young will be the billion tons of straw that crushes the camel flat.

Only Republican filibustering got us to the election recess free from this disaster and the danger returns as soon as Congress reconvenes. If the Republican numbers are not strengthened in the election, socialized medicine is still very possible. What a strange impasse, at this stage in the history of communism. It is worth looking into the pervasive misunderstandings of economic and moral science that enable such an absurd predicament.

Some of the blame goes to Economics 1. Introductory economics courses all over the country, in need of examples of market failure, depict medicine as a classic example of an industry where markets do not work. On the one hand, since medicine is an insured market, customers are not shopping with their own money and have little incentive to shop for price. Also, providers have all the expertise, making it hard for consumers to shop intelligently. But in fact, the market for medical services is not nearly as dysfunctional as it is typically made out to be, and most of the dysfunction that does exist is not inherent but is a result of egregious government regulation.

The great majority of trips to the doctor or hospital are simple trips in and out that are not very costly in hospital time and materials. In an unregulated market, the insurance that people would buy would usually not cover these trips. No rational person would buy herself medical insurance with less than a couple thousand dollar deductible. It is just much more efficient to self-insure (to save). In fact, a thousand dollar deductible plan costs almost five hundred dollars less than a five hundred dollar deductible plan. It's better to pay the lower premium and put the difference in a bank account. Insurance is costly, and anyone with savings is already self-insured.

The only reason low deductible health insurance exists is because the government provides hefty tax incentives for firms to provide income to employees in the form of health insurance. To take advantage, firms offer more health insurance, in the form of lower deductibles, than rational people would ever buy without tax incentives. If this perverse tax incentive were eliminated or reversed, routine medical care would no longer be an insured industry and would quickly become much more cost efficient. Everyone would be shopping with real money and price competition would become as strong as in other markets. I was recently charged \$280 for having an intern squirt saline in a nail puncture and give me a tetanus shot. With competition, that five minutes of service might cost \$50 dollars.

Without low deductibles, only catastrophic health care would be an insured industry, but here, too, getting employers out of the business of buying health insurance for employees would go a long way towards letting market forces work. When employers buy health insurance for employees, people are not choosing for themselves what particular coverages are worth the cost. As a result, no market develops for insurance that lets people opt out of coverages that are not worth the cost.

Consider an example. How many couples of child bearing age would be willing to pay a couple hundred dollars a month for insurance to keep a non-viable preemie alive until it dies? It should be none. The medical benefit is zero and the average cost for this service is a quarter million dollars. Yet everyone is presently buying this coverage, spread out between those who are at risk for incurring it and those who are not, because people are not buying their own insurance and deciding what coverages are worth spending their own money on.

Sensible insurance would rank procedures by medical benefit per dollar spent. Oregon has already done a tremendous amount of work coming up with such a ranking for allocating their public health funds. Individuals buying private health insurance would pick a cut off point in such a ranking and choose to be insured for all services above the cut off point, plus they could tailor their coverage to include or exclude any particular procedures that they thought were or weren't worth the cost.

Medical benefit would vary according to the demographic status and health history of a client. A life-saving operation has less medical benefit for a patient who has full blown AIDS or for a ninety-year-old than for a person who could otherwise be expected to live a long and healthy life. Similarly, the cost of being insured for a particular procedure would vary by demographic status, since some people will be at higher risks of needing the procedure. All the relevant information could be punched into a computer and the estimated medical benefits and the costs of being insured for each service could be printed out.

This system would cure one half of the problem of an insured market for catastrophic care. Catastrophic services would still be paid for with insurance money, but at least people would be deciding what coverages were worth their own money. In sum, three quarters of the insured-market problem would be eliminated. Costs would be higher than if price competition were in operation, but the size of the problem would be much more manageable.

All of these changes should follow just from de-coupling health insurance from employee remuneration, which, itself, should only take removal of the tax break for employee health benefits. Because of inertia, this de-coupling might not occur unless there were actually a tax penalty for employer-provided health insurance. Such a tax would be justified by the external benefits that price competition provides.

My shopping for price helps you by keeping prices down, even though I do not take this benefit into account when I shop for price. When low deductibles and employer-provision keep people from choosing for themselves what is worth their own money, we all lose the external benefit of price competition, and it becomes efficient to use a tax to force people to take this cost into account.

One thing that really confuses health policy is our failure to understand the implications of moral science for public policy. People have some idea that, because health problems are largely a matter of natural accident, social policy should see to it that everyone pays the same amount for health insurance, regardless of anyone's known health risks. Undeserved differences would then be ameliorated rather than exacerbated. To implement this leveling it is necessary to dictate the same coverage for everyone, eliminating individual judgments about what coverages are worth spending one's own money on and requiring instead an entire system of socialized medicine.

But a basic principle for achieving distributional justice is that policy should not try to achieve whatever distributional goals society sets in each market but should be concerned only with the sum of distributional effects in all markets. A person with high health costs might, in the labor market, have the combination of talents and luck of a Bill Gates, leaving him, in sum, one of the wealthiest people on Earth. It would obviously be perverse from a distributional standpoint to subsidize this person in the health market, and this is a general principle.

I was talking about socialized medicine to a woman last year and she was mad that routine mammograms might not be covered under Clinton's plan. I explained to her that non-contingent costs should never be covered by insurance; they just make the insurance premium go up by the certain-to-be-incurred amount. Since the service is paid for with insurance money, price competition disappears and everyone ends up paying five times as much.

Still, she wondered why she should have to pay for mammograms just because she was a woman. I told her she had just answered her own question. Everyone pays the costs and reaps the benefits of being themselves. If some people in sum end up needing some help to get a leg up on life, that is where our priority for distributional justice should go. Welfare for upper middle class women would be absurd even if it weren't an engine of inefficiency.

Beyond setting up an equitable tax system, the proper role of government in achieving distributional justice is to provide a safety net with full incentives for people to be responsible for themselves. In health care this means guaranteeing a minimum standard of medical benefit per dollar spent that would be provided to anyone who wants it and cannot otherwise afford it. To preserve incentives not to treat the safety net as a hammock, all services would be billed at full cost and recouped according to ability to pay over the life of the recipient.

In general, billing this way for safety-net assistance enables more generous help because it cuts down the room for abuse. Those who do abuse it by running up bills beyond any prospect or evidence of repayment would have to be cut off from more generous

help. Far more people could be helped through rough times by such a system than by any system of perfunctory disbursements.

In health care, billing for services rendered would give impoverished people an incentive to buy insurance, for which they should also be able to get loans — again, to be paid back over the rest of their lives. But no one should have insurance automatically provided, or we abandon expectations of personal responsibility.

With minimum standards in place — they could be set as high as society deems appropriate — hospitals would be free not to provide services beyond the standard unless private insurance or direct payment were in place to cover the costs. This is the only way that we will ever stop squandering vast, irrational amounts of money on dying.

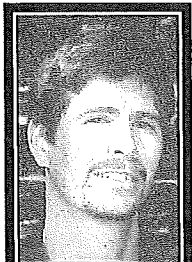
Fully half of a person's lifetime medical expenditures currently are spent on dying. The reason is that we have already socialized medicine for old people. The elderly should be asking themselves: "Do I really want to spend a thousand dollars a month of my children's inheritance for insurance coverage to pay for six months and two hundred thousand dollars of misery at the end of my life?" As it is, the costs are spread over everyone and the inheritance of the young is squandered without anyone ever accounting the costs.

Other necessary reforms involve moving from our current group-based cost-sharing system of insurance to a true actuarial insurance that is based on individual characteristics and that fully captures the costs associated with new information that comes out about an individual's health in an insured period. (Present group based insurance allows insurers to evade their insurance function by allowing healthy people to move out of groups, leaving the sick to pay their own medical bills.) These reforms would occur automatically with the kind of individually calculated insurance policies described above.

Bill and Hillary are a pair of old-fashioned-socialists/new-fangled-communists. Clinton is so widely despised because he has become the symbol of Democrat betrayal: winning elections by talking about market-oriented reforms and individual responsibility only to champion socialist policies that extend the dole and treat working people as nothing but a source of tax revenue. Given that it took the Republicans to stall the headlong rush to socialized medicine, I have come to the conclusion that the symbolism is accurate.

The Democratic party is rotten to the core with these "Old Democrats," posturing incessantly to look tough on big government and tough on crime and tough on illegal immigration and tough on paying people for having babies they can't raise, but their true conviction is soft on all of these issues. They have sympathy for everyone but those supposedly privileged people who are trying to live responsible lives. They have no grasp of what is clean and upright and how a responsible society wants to comport itself.

I am actually going to vote Republican.



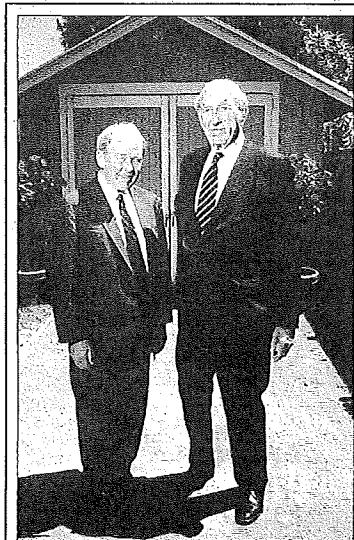
Alec Rawls

Fully half of a person's lifetime medical expenditures currently are spent on dying.

Billionaire alums give Stanford millions

By Lucas Mast
Staff Writer

Alumni David Packard and William Hewlett donated \$77.4 million towards the construction of a science and engineering quad. The grant will go down in history as the largest grant ever given to Stanford. While



William Hewlett and David Packard return to the garage where it all began.

this donation is substantial, there still remains \$32 million to be covered by the University. This money will reportedly come out of the capital budget, other donations, and a \$2 million grant from the National Science Foundation. The construction of this quad will propel Stanford into the next century with a premiere research facility. The New York architecture firm of Pei Cobb Freed and Partners anticipates that the new quad, yet to be named, will be completed by 1999.

Both Hewlett and Packard were very excited about the impact that their donation would have on the University in the future. "The University has been burdened by debt, especially augmented by the earthquake damage," said Hewlett. "I hope that it will benefit both faculty and students alike. Stanford was a university that had roots in science and research and thus far it has maintained this status." Hewlett's ultimate hope is that Stanford "maintain a preeminence as an academic institution and a research pioneer in science and technology." Packard added that he hoped his gift "will put Stanford ahead of the rest of our nation's colleges and universities in the fields of science and engineering — that is my wish."

The current Physics Tank will be demolished in exchange for a walkway lined with palm trees

which will connect the current Quad with the new science and engineering quad. The new design appears to create a synthesis which will hopefully spur more interaction with science/engineering students and those studying humanities and social sciences, better known as "techies" and "fuzzies," respectively. Physical separation of the existing buildings limits interaction.

The architect heading the project, James Ingo Freed, is lauded as being a creative force in his field. Other projects he has designed and constructed include the National Holocaust Museum in Washington D.C. and the new Main Library in San Francisco. Freed is working in conjunction with University architect David Neuman in hopes of maintaining the spirit of the motifs currently expressed in Stanford buildings throughout campus.

The plan to build a new science and engineering quad originated in a 1986 project entitled Near West. At the time, Hewlett pledged \$40 million as a kickoff donation in hopes of integrating the science and engineering quad into the original quad.

Much change is inherent in the massive undertaking: 1) A new building will be erected to house materials science research, replacing the Physics Tank. 2) A new statistics building will be erected. 3) A new lecture hall complex (one room will contain a 450-seat lecture hall, another will have seating for about 200 students), will go up. 4) A new courtyard and arcade will be built.

Proposition 187:
A panel discussion

Moderator

Luis Fraga, Political Science
professor

Pro-187

Lynn Young, South Bay
Citizens for Immigration

Aman Verjee, The Stanford
Review

Bud Ridley, Yes on 187

Anti-187

Tracy Salkowitz, Taxpayers
Against 187

Father Tom Smolich,
Dolores Mission, East LA

Frank Wu, Californians
United Against 187

Kresge Auditorium
Wednesday, Oct. 26

7 pm

◆ Prop. 187

continued from front page

tested in court, its primary value is to bash Washington over the head with a very blunt message: illegal immigrants is a federal, not a state responsibility."

Others, however, perceive the initiative as an ineffective way to deal with immigration. An extremely vocal movement favoring the defeat of this measure has coalesced on campus. The coalition, Students Opposed to Proposition 187, has sought to garner opposition to this initiative through the distribution of fliers and the organization of several student activities.

Mateo Cordova, a member of this group, argues that the proposition would simply harm the state by denying people the opportunities to become productive members of society through education. "This proposition will hurt people who are now California residents," said Cordova. "Those people will not just go back."

Professor Kenneth Hill agrees. "I think that there can be better thought-through wake-up calls," said Hill, a lecturer at the School of Education, the former Superintendent of the Redwood City school district, and a current member of the San Mateo County Board of Education. "Depriving children of an education and sending the message that way is cavalier, to say the least."

Opponents also believe that the removal of students from the classroom will give them idle time to roam the streets and get

into trouble, thus placing a bigger burden on police. They also fear the increased outbreak of disease resulting from fewer inoculations.

Another claim by those against the proposition is that enforcing 187 will cost California more money than it is now costing California to provide illegal immigrants with the social services in the first place. A leaflet printed by Taxpayers Against 187 claims that taxpayers would pay fifteen billion dollars to establish a new enforcement bureaucracy.

The dispute is quite nebulous indeed. Some proponents do approve of the influx of immigrants into the United States but argue that the State of California should not bear the burden of this free flow. And while some opponents admit that illegal immigration is a dire problem, they believe we can find a solution better than 187.

Currently, polls indicate that Californians support the measure by a margin of about two to one. However, its popularity has declined since July, and further opposition backlash could close the gap considerably before November 8.

On October 24, opponents of Proposition 187 will hold a rally in White Plaza at 11:45 am and a candlelight vigil at Redwood City Elementary School later that day. Stanford will host a forum about Proposition 187 at Kresge Auditorium on October 26 at 7:00 pm; and on the 27th, opponents will hold a rally in San José. Information about these activities is available at El Centro Chicano, headquarters of the opposition group.

Dennehy criticizes cultural relativism

By Ed Malone
Senior Staff Writers

On last Tuesday at Tresidder Oak East, Dr. Raymond Dennehy advocated a law that is grounded in human nature and transcends human law: the natural law. Said Dennehy, "Virtues have standards, virtues have a goal and they are in harmony with human nature."

Dennehy explained that although natural law is grounded in objective knowledge it requires discipline on the part of the individual to accept and ingest that knowledge:

"When I cultivate virtue in my nature, I make myself into a new nature. When I decide that I'm going to live according to a moral standard, a standard which I understand to be the right one, then [the standard] becomes my law."

"Knowledge that we call objective is public. And yet it's personal, because I [must] judge it to be true or false. Knowledge always requires responsibility."

The classical rival to natural law theory, according to the professor, is cultural relativism, or subjectivism, which holds that every ethical principle is relative to historical context, to culture, or to the individual. Dennehy, however, believes that humans are endowed with the same nature, and that certain truths are universally applicable to that nature.

"Human nature transcends cultures," argued Dennehy. "However we differ ethnically, linguistically, and racially, we are all equally

human beings, and the standard for our fulfillment happens to be universal even though we get our norms from society."

"We are not totally bound by our ethnocentric or our historical context. Through education, we rise above it because we rely less and less on our imagination and emotion and senses — all of which are liable to domination by historical forces."

Dennehy also noted the ignorance about natural law that pervades academia. "Natural law in law school doesn't add up to much. It's not given serious treatment," said Dennehy.

"It's given a bad rap . . . And if you want to know what the contemporary professional thinks of the natural law, maybe the Clarence Thomas hearings is a good example . . . Senator Biden, the head of the Senate Judiciary Committee, confessed ignorance about the natural law [when questioning Judge Thomas]."

The University of San Francisco professor pointed out the irony of the fact that scholars don't know much about the natural law even though our nation's civic law was founded on natural morality. For example, the Declaration of Independence mentions "unalienable," or God-given, rights.

According to Dennehy, the theory of natural law died out in the 19th century, but received life during the Nuremberg trials, where Nazis were charged with "crimes against humanity."

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Join our production team.

CUE delivers final report

By Victoria Markova
Staff Writer

Late last week the Committee on Undergraduate Education completed their mission and published a report concerning the possible improvements that can be made in the sphere of undergraduate education at Stanford. The Committee's report is the first comprehensive study of undergraduate education at Stanford since 1968.

Appointed in October 1993 by Stanford President Gerhard Casper, CUE was charged with the task of researching undergraduate studies, identifying problem areas and proposing specific solutions for the overall improvement of academics at Stanford. In its membership, CUE included fourteen faculty, two students, two alumni, and the Vice Provost of Institutional Planning.

Coincidentally, some of the published recommendations of the Committee agree in nature with curriculum changes proposed in the October 10th issue of *The Stanford Review*. For instance, CUE found the present form of the Cultures, Ideas and Values requirement to be lacking in "coherence" and to be in need of revamping. The Committee is proposing to "clarify the purpose" of CIV "by developing courses that focus on the historical evolution and comparative analysis of cultural traditions."

Currently, the so-called Cultures requirement is composed of CIV, American and World Cultures, and Gender Studies. CUE recommends that these five areas be

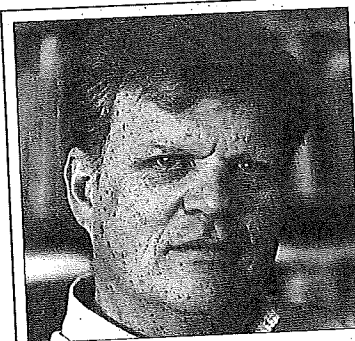
consolidated into a three-quarter sequence by 1998, thereby eliminating American and World Cultures as separate requirements. The Gender Studies requirement, however, is still a controversial issue for the members of the Committee and consensus was not reached on it. It is ironic that a politically-charged requirement like Gender Studies can persist in a curriculum that officially subscribes to the notion that "a commitment to free inquiry means the willingness to resist political interference." Apart from these longer-term changes, CIV (which is to generally retain its current form for now) is to undergo immediate changes "to restore a sense of common purpose and curricular consistency."

The Committee found the present form of the Writing and Critical Thinking requirement to be a very enlightening and necessary element in each undergraduate's experience. As such, it was recommended that this requirement not only be retained but also expanded so that "each department or degree-granting program has at least one writing-intensive course, which its majors are required to pass." Many students criticized the CUE's recommendation as simply praising the requirement itself and not focusing on the controversial content of some classes. In the past two years, the Writing and Critical Thinking program has been criticized for mandating community service and the presence of political ideology in the classroom.

Further, the CUE proposed the creation of a new core requirement to teach science, mathematics, and technology to non-scientists. In an effort to accommodate non-scientifically inclined students, the Committee recommends that a three-quarter sequence called "Introduction to the Natural Sciences, Quantitative Analysis, and Technology" be established. This year-long science core will incorporate the requirements currently included in the current Distribution Areas 4, 5, and 6. Observational skills are to be emphasized through mandatory lab work.

The conception of language proficiency is to be extended to one year of college instruction or the passing of a proficiency examination. The Committee deemed languages important in the search for knowledge and vital to the University's fulfillment of its mission.

Whether the proposed changes from the CUE will be a dramatic face-lift for the University or merely amount to superficial changes is up to University officials to decide. Many students have voiced concern that the incorporation of the American and World Studies requirements into CIV would dilute the latter. This is a particular concern as many feel that the focus has already been lost in the CIV tracks. But some students, on the other hand, laud the elimi-



James Sheehan was the chairman of the Committee on Undergraduate Education.

nation of the two DRs, since this move would open up space for more curricular experimentation.

The creation of a science core has been critiqued by many students as threatening to the already DR-packed schedule of freshmen. Under the current system, one can choose to combine science DRs with other courses in any quarter of one's undergraduate stay.

The final student concern relates to the cost of the CUE's proposals. Can the University, in a time of budgetary constraint, find sufficient resources to fund the proposed changes? And would investment into these recommendations indeed improve undergraduate education? Many questions remain unanswered, but the ball has been thrown in the University's court, so only time will tell.

◆ Ginsberg

continued from front page

The immense, and often bizarre, collection contains over 300,000 pieces and spans most of the author's life. It encompasses many objects that will no doubt provide scholars with sources of academic interest, such as manuscripts of 14,000 titles by the author, 400 notebook journals, and 4,000 letters that include correspondence with Abbie Hoffman, Bobby Kennedy and Burroughs.

However, the collection has also drawn criticism from many members of the Stanford community. For one, the expensive collection contains items whose academic worth might be characterized as dubious at best. For example, as a part of the deal, Stanford picked up snippets of Ginsberg's hair, some dried plant vines from South America, and even a pair of old sneakers that the poet wore in communist Czechoslovakia in 1965. At a time when the University is cutting funding to various academic departments and bleeding red ink onto its projected budget, some might question the wisdom of such a vast expenditure if the items are of little scholarly value.

Many students are also bothered by the controversial nature of Allan Ginsberg himself. For instance, included in his early journals are passages where he details the growing awareness of his own homosexuality, and in his later poems he makes numerous explicit references to his preference for young, male lovers. Ginsberg's sexual preferences are more than mere literary references: he is a prominent member of the North American Man Boy Love Association, an organization devoted to making homosexual pedophilia a legal and accepted practice.

Bob Rosenthal, Ginsberg's secretary, said in an interview that the poet "is not a pedophile," and that his membership in NAMBLA is purely a "civil rights issue." Nevertheless, Ginsberg himself has made public comments to the contrary.

One concerned sophomore, Marni Haugen, said, "I think that buying the collection of a known member of NAMBLA and a known pedophile sends a message to the world that Stanford holds moral values in low regard. This could be detrimental to support from alumni and yield rates, the areas we need a lot of help with. Also, the acquisition is an insult to all those people that find pedophilia morally questionable."

There is a concern that the smatterings of scarce underground newspapers and mimeograph magazines in the collection might contain illegal pedophilic material. However, when asked about the possibility of such in the collection, Angilletta responded that he "would not judge

in advance whether the material was illegal or legal." He also stated that the University would not "self-censor" obscene or objectionable material contained within the archives.

But beyond the moral dilemma posed by the material in the archives and the personality behind it, a more practical problem with the acquisition raises its ugly head: the goodies may not be available for extensive research for several years yet. More than 175,000 items have been stored in deposit at Columbia University, but much of the memorabilia has been stacked in Ginsberg's New York apartment and crammed into storage lockers. The status

What's in the collection

- all of Ginsberg's manuscripts, including the original ditto masters of his epic poem "Howl"
- 4,000 notebook journals
- 4,000 letters, including correspondence with Timothy Leary, Abbie Hoffman, and Bob Kennedy
- 10,000 books and periodicals, including underground newspapers and mimeographed magazines
- All of Ginsberg's personal papers and effects, such as tax records, electric bills, lunch receipts and clippings about police selling drugs
- More than 1,200 tapes of Ginsberg's readings, interviews and telephone conversations
- Dried plant vines from South America, snippets of his own beard, and tennis shoes he wore when he was booted from Czechoslovakia in 1965

of these articles is still largely an unknown variable in the mix, and it may require thousands of dollars and several years to restore parts of the collection to a state compatible with research.

Stanford admitted that although the items will be shipped to the university over the next six months, it will be some time before they can be catalogued and readied for researchers. Angilletta said that scholars may have some access by late spring, but if recent history is any guide, that prediction might be overly optimistic.

The Ginsberg archives mark Stanford's most expensive acquisition in recent years, and adds to an already im-pressive collection of American post-war poetry. In the past few years, Stanford University has acquired the archives of poets Robert Creeley and Denise Levertov.

Over a year has passed since the University procured Creeley's collection, and it has not yet been opened.

In addition, the recent acquisitions of the Mexican American Legal Defense Fund's archives along with the National Council Miraza's archives, which are queued ahead of this collection, will further delay the opening of the Ginsberg collection. And the first shipment of Ginsberg paraphernalia, which was supposed to arrive at the end of last month, has yet to arrive.

In the case of the immense Ginsberg acquisition, then, it could take a while to organize the collection so that anyone may view it. "The classification of the archive... can take several years," Angilletta said. The sheer volume of the collection is such that it occupies 1,500 linear feet of space, and would entirely fill Palo Alto's main library branch. Angilletta acknowledged the daunting task before him, and admitted that "it is dubious whether [he] would ever buy a collection this large again."

The enormity of the collection raises questions about the additional cost to maintain such a collection. According to Kimball, when collections first arrive on campus they often need to be re-housed. The average cost of re-housing documents is about \$18 per linear foot. Thus, the expense of re-housing the material could be about \$27,000. Furthermore, because special collections are kept in environments with a stable temperature and humidity, it will cost Stanford just to maintain the archives in proper conditions.

But what irks many students even more than the possibility of costly delays in the opening of the archives is that even when the collection comes on line, it will not be widely available to the typical Stanford student.

According to Margaret Kimball, the director of special collections, access will be limited to approved researchers only. Kimball stated, "[the Special Collections] are not a browsing library... Not just any student can go see what is in there." She also indicated that only students conducting legitimate research may actually view the collections.

So what constitutes "legitimate research," and who determines who is doing it? Kimball said that anyone interested in viewing the collection would have to express their interest to the libraries. A library representative would then interview the applicant in order to decide whether the research is "legitimate" or not.

In other words, access to special collections are strictly controlled and related research must be approved in advance. Students interested in Ginsberg's work will probably never get to view the collection, even though the "university resources" that they finance were tapped in order to acquire it.

◆ Ross

continued from page 5

A second important issue in the race is illegal immigration. Brown illustrated just how out of touch she is with California when she announced during a Los Angeles Town Hall speech: "Illegal immigration is wrongly seen as a cause" of problems in California. Most Californians dis-

agree. Two out of three support Proposition 187, which would deny schooling and non-emergency health services to illegal immigrants. Brown, of course, vehemently opposes this measure.

Pete Wilson feels differently. He sued the federal government to stop illegal immigration, and demanded reimbursement to California taxpayers for its costs to the state. Wilson believes that "illegal immigration is

eroding the quality of life for every Californian," and has made Proposition 187 a cornerstone of his campaign.

And for those Republicans who think Wilson is too "squishy or moderate," keep this in mind: Wilson has moved to the right of Kemp and Bennett, both of whom recently came out against Proposition 187, on immigration.

The third issue is taxes. Many voters are petrified that Brown would raise taxes through the roof. Judging from her record, these fears are quite justified. Just this year, the Treasurer proposed hikes in sales and income taxes to the tune of \$5 billion. In the last three-and-a-half years, she has proposed to increase taxes 8 times. The problem with Brown lies in her economic ideology, which her former economic adviser describes as a "big-labor-oriented perspective more firmly rooted in the politics of the 1930s or 1960s."

And what about Wilson? Yes, the Governor raised taxes his first year in office (a move that won him a hearty congratulations from Kathleen Brown). But people forget about another prominent Republican governor who capitulated to political pressure and raised taxes. His name was Ronald Reagan, and he went on to become the greatest president of our time.

Wilson has resisted the temptation to raise taxes again, in the face of extraordinary pressure from California liberals and the media. Would Brown have done the same? He has also balanced three straight budgets without new taxes and has continued to state his opposition to new tax increases. Wilson has hopefully learned from his mistake, and if the last few years mean anything, voters can expect him to hold the line on new taxes.

Crime, illegal immigration, taxes. These are the issues voters care about. And Wilson outclasses Brown on all three.

Maybe this is why so many Democratic insiders, sensing a futility in Brown's campaign, are beginning to focus their energies on other races. Surely this is why voting for Pete Wilson is better than the alternative, a liberal Democrat with no accomplishments other than the name Brown. One more thing: If you think Wilson in '96 sounds bad, how about Brown in 2000?

Adam Ross is a senior studying economics and political science. He is a former editor-in-chief of *The Stanford Review*.

◆ Verjee

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California native son will stand an even better chance than usual at the presidential nomination.

First of all, the 1996 primaries are the most front-loaded in history. Seven big states have scheduled their primaries within two weeks of New Hampshire's: New York on March 5, Texas and Florida on March 12 (along with some Southern states); Illinois, Michigan and Ohio on March 19 (and Pennsylvania may join them); and finally California on March 26. All told, these states will provide 75 percent of the delegates to the convention, meaning that an early war-chest is even more important than usual. This gives the well-financed candidates — Wilson, Gramm, Kemp, Dole and Perot — a big advantage over the likes of Cheney, Buchanan and Alexander.

Second, California has moved its 1996 primary from June to March, meaning that as matters now stand, the California primary occurs in the thick of the race rather than after the nominee is decided. And while most states award at-large delegates to the statewide plurality winner, plus congressional-district delegates to the winner in each district, there is one notable exception: California, which has a winner-take-all primary. In other words, if Wilson gets even a plurality in his home state — which he is sure to do — then he takes all the delegates from the big state of California: fully 20% of what he needs to win.

Third, and perhaps most significantly, the geographical distribution of the current crop of candidates is solidly Northeastern and Texan, thus favoring a California entry. The first primary is in New Hampshire, and will undoubtedly go to neighboring Massachusetts Gov. William Weld (should he choose to run). Jack Kemp is already running, and should pull in a big majority of New York delegates. On March 12, Texas will go largely for Senior Senator Phil Gramm, who will most assuredly run. And on the following week, popular Gov. John Engler could sweep Michigan.

This means that by the time California comes around, at least three and perhaps four favorite sons will have divvied up the delegates in the smaller, multi-winner states. Add to that Pat Buchanan, who has no chance of winning the nomination, but will win a 20 or so percent block of delegates from a variety of states, and the result is a packed field with no one clearly able to amass a majority of delegates. If Wilson wins the whole, gigantic California delegation at this time, the momentum and publicity might allow him to pull away from the other candidates and take the nomination.

It is vital to the national interest that we stop that from happening, so we have to knock Wilson out of the presidential race by electing his opponent in 1994. It may mean the short-term pain of tax hikes for California, but we ensure that a real Republican gets the golden ring in 1996.

Aman Verjee is a senior studying economics and public policy. He is the editor-in-chief of *The Stanford Review*.

Points of Light

"It's easy to have principles when you're rich. The important thing is to have principles when you're poor."

— Ray Kroc

"I don't mind their having a lot of money, and I don't care how they employ it, but I do think they damn well ought to admit they enjoy it."

— Ogden Nash

"There must be a reason why some people can afford to live well. They must have worked for it. I only feel angry when I see waste. When I see people throwing away things we could use."

— Mother Teresa

"A businessman is a hybrid between a dancer and a calculator."

— Paul Valery

"Never borrow money except for a primary residence, education, or emergency health problems."

— Old Southern saying

"There are three things the average man thinks he can do better than anyone else: build a fire, run a hotel, and manage a baseball team."

— Rocky Bridges

"This ain't a football game, we do this everyday."

— ex-Baltimore Orioles manager Earl Weaver

"I think it is almost universally the case that corrections do not get the same play as the original sensationalized stories... The damage done by headlines can never quite be undone."

— Stanford President Gerhard Casper

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AN INDEPENDENT STUDENT PUBLICATION

October 17, 1994

Inside the Food Service monopoly

Purchase of costly meal plans is mandated because they help bring about goals of Residential Education program

By Thorvin Anderson
Staff Writer

Of all the monies which Stanford students annually wishes good-bye, perhaps among those most tearfully lamented are the vast sums gobbled up by a food service which some students feel is not providing optimal value. While students on regular meal plans are

Care for a Food Service menu?

Grilled tuna salad	\$ 6.00
Cheeseburger	\$ 3.90
Side of fries	\$ 1.50
Can of soda	\$ 0.96
Snapple (473 ml)	\$ 1.98
Roast turkey sandwich	\$ 2.85

spending well over a hundred dollars every week on food, both of their parents, and quite possibly a brother or sister, are getting along quite well on that amount back home.

Aside from being high, the Stanford Food Service rates are also presented in a rather illusory light. A student on the regular à la Carte plan pays \$1,195 for a

mere 992 points. Thus the item offered for three points actually costs the student \$3.61 in real currency.

Although the meals-per-week system lacks the deceptive twist of the à la Carte plans, it can nonetheless set a student at a serious financial disadvantage. Students pay for a given number of meals every week of the quarter, regardless of whether or not they actually consume them. Those who miss the two-hour time frame of dinner one evening not only pay the upwards of eight dollars for the dinner they missed, but must procure substitute nourishment elsewhere for additional cost. Thus, total expenditures for food exceed

News Analysis

the prices of the meal plans.

For students living in dorms, that is, all freshmen and many upperclassmen, purchase of a meal plan is mandatory. Food Service Operations Manager Craig Mitchell sees this as an expression of University values. Meal plan purchase is compulsory in order to further Residential Education's goals of bringing students in a given residence together at meal times for discussion and other interaction. "That's part of the education," he stated, and in response to suggestions of changing the purchasing mandate replied, "I don't be-

continued on page 5

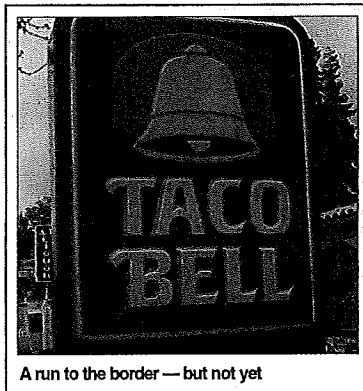
Awaiting Taco Bell

By Eric Jackson
Staff Writer

Even though nearly a year has gone by since the University promised to install a Taco Bell at Tresidder Union, it appears that for now Stanford students shouldn't get their hopes up about seeing the popular Mexican fast food chain on campus in the immediate future.

According to Gabriel Lucas, financial manager for the ASSU, it was the popular sentiment of the students that convinced University officials to present Taco Bell as an inexpensive dining alternative for the more frugal residents of the Farm. In addition to this, numerous rooms in Tresidder were sitting unoccupied. The obvious course of action, putting a Taco Bell in one of the empty rooms, seemed simple.

The University initially anticipated little trouble in starting up the Taco Bell, but what seemed simple at the outset rapidly became exceedingly complex, and expensive. According to Assistant Director of the Stanford Shopping Center Dorothea Gregowski, Stanford spent around \$40,000 on the necessary equipment for the restaurant, on the assumption that the fast food franchise would get up and running relatively quickly and easily. Bon Appetit, the catering company that currently operates the Coffee House and has exclusive rights over other food services at Tresidder, would run the Taco Bell.



A run to the border — but not yet

Mary Clark, the general manager of Bon Appetit, states that "prices [at the University Taco Bell] were slated to be the same as those at the one in Palo Alto," indicating that most of the entrées available would cost less than a dollar.

continued on page 3

Campus preachers endorse gay lifestyle

By Ed Malone
Senior Staff Writer

Last Monday, dozens of gays gathered at White Plaza to celebrate National Coming Out Day. Several preachers attended as well, not to pronounce eternal damnation on them with "God Hates Fags" placards as the infamous Rev. Fred Phelps of Omaha is wont to do, but to give them "support."

According to the program's organizer Michael Latz, religious leaders from the Jewish, Catholic, and several Protestant denominations came out to help campus gays increase public awareness of lesbian, gay, and bisexual issues vis-à-vis religion. Latz, a member of Hillel, a Jewish religious group on campus, called the support that he received from Stanford clergy "fantastic."

According to Latz, Hillel is dedicated to "providing religious, cultural, and social services to all Jews, regardless of sexual orientation." Rabbi Ari Cartun, also a member of Hillel and an active participant in the Coming Out Day, agrees. When asked whether he believes homosexuality is a sin against God, Cartun responded, "No." Cartun contends that the passage in the Torah which says, "Thou shalt not lie with mankind, as with womankind" has been misinterpreted as a prohibition against homosexuality.

"It's humanly impossible [for a man to lie with a man as he would with a woman], reasoned the Rabbi. "A man doesn't have a vagina. [Therefore,] there must be another message in that text."

Rabbi Cartun also argued that even if Leviticus 17:22 were to be taken literally, lesbianism would not be prohibited since the passage does not specifically mention it. While Cartun rejects the traditional interpretation of that scripture, he admitted that he is not sure what the real meaning is. Cartun speculates that the scripture admonishes people to "fall in love for the right reason."

Another clergyperson present at the rally was Reverend Herb Schmidt of the University Lutheran Church. "I think many gays, lesbians, and bisexuals realize religion has been repressive and the enemy," said Schmidt at the rally. "There are many of us who want to work with them for full equality, acceptance, and justice." Schmidt suggest that more Christian churches should ordain women and gay pastors as well as perform same-sex marriages.

Reverend Donna Smith-Powers, from United Campus Christian Ministry, also made a speech at the rally. Said Smith-Powers, "United Christian Ministries joins with other churches and welcomes you as full human beings." According to Smith-Powers, UCCM recently hired a lesbian seminary intern.

Although Memorial Church Associate Dean Diana Akiyama did not attend the rally, she expressed her support for homosexuals and endorses homosexuality. When asked if she thinks homosexuality is a sin, she said, "No... I support all individuals who want to participate in a loving community."

When asked about the scriptures from both the Torah as well as the New Testament which are traditionally interpreted as condemnations of homosexuality, Akiyama argued that "some people don't translate it that way." In addition to the

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INSIDE THIS ISSUE

Hail to the Chief!

The Chief is at it again. And the subject is *The Stanford Daily* columnists. Turn the page and find out what he is talking about.

Smoke signals 2

Scoundrel Time

Aman Verjee discredits the President and his spawn the best way he knows how: by quoting them directly.

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Grape committee

Grapes could become a thing of the past here at Stanford. The University may ban them. The committee on grapes will make its report to President Casper any day now.



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The Stanford Review

AN INDEPENDENT STUDENT PUBLICATION
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FROM THE EDITOR

Clinton's War on Reality

Clintonspeak

"The problem of the structural deficit is rooted in the early 1980s when we cut income taxes..."

— *Putting People First*, July 1992

"... and increased defense spending."

— *Ibid.*

"Do they really want this contract, which will certainly lead to higher deficits, cuts in Medicare and throw us back to the years of the '80s, when we lost jobs and weakened our country?"

— *New York Times*, October 8, 1994

"The corrupt do-nothing values of the 1980s must never mislead us again. Never again should Washington reward those who speculate in paper, instead of those who put people first."

— *Putting People First*, Bill Clinton and Al Gore; 1992: p. 8

"Middle-class Americans are working harder for less money than they were making ten years ago, and they're paying higher taxes."

— *last presidential debate*, October 19 1992

"We ask the richest two percent of Americans to pay a little more because their taxes went down and their incomes went up in the 1980s."

— *September 26, 1992*

"Over the last 12 years, we have underinvested in education."

— *A Vision for Change*

Reality

Individual income taxes in 1980: \$244 billion
Individual income taxes in 1990: \$476 billion

National defense spending in 1980: 5.1 % of GDP
National defense spending in 1992: 5.0 % of GDP

Unemployment rate in 1980: 7.5
Unemployment rate in 1990: 5.1

"Documents reveal that First Lady made profits of \$100,000 from \$1,000 investment in cattle futures, in ten months"

— *Wall Street Journal* headline, April 15, 1994

Median family income, 1981 (in 1990 dollars): \$30,916

Median family income, 1990 (in 1990 dollars): \$34,300

Percentage of taxes paid by bottom 50 percent in 1980: 7.4

Percentage of taxes paid by bottom 50 percent in 1990: 6.2

— Internal Revenue Service

Percentage of federal taxes paid by top 1 percent in 1981: 17.6

Percentage of federal taxes paid by top 1 percent in 1988: 27.5

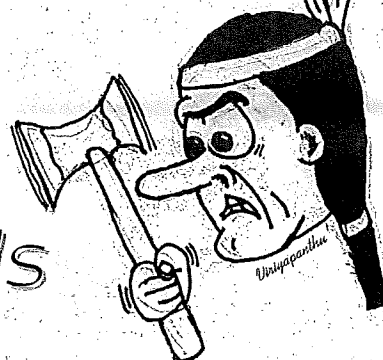
— *The Futility of Raising Tax Rates*, Bruce Bartlett

Real education expenditures per student, 1980: \$4,029

Real education expenditures per student, 1992: \$5,850

— *National Education Almanac*

Smoke Signals



Drumroll Please...

Oh-so nice of the *Daily* to deliver their columnists for this volume before the first wave of midterms, don't you think. Well, after a couple bad crops it seems that the *Daily* columns might provide readers with reason to actually read them — a welcome change for every large lecture hall student. You've come a long way, baby, but you are still a long way away:

Jonathan
Houston



Now Jon, do we really make many friends when we talk about death all the time? You gotta admit that it was one helluva match to run the Grim Reaper's column on Monday, though.

Chris
Carlsten



Follow me on this one, Chris: Let's buy the Himalayas, make them into Himalayaland, and that way we can preserve that "mi casa, su casa" feeling for eternity. What do you say? Hell, we'll get stinkin' rich spiritually, too.

Elizabeth
Kelly



Ideas have consequences? Imagine that, but try telling that to the Stanford faculty.

Michael
Green



Holy Sidewalks, Dailyman! — we've got a nut on our hands who doesn't wear tights, call himself a professor, or even answer to N'Gai.

Ann
Porteus



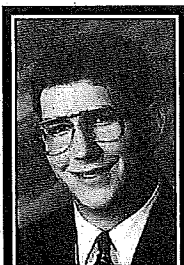
Ann, you asked, so you will get. Res Ed is a woman putting a condom on a banana with her mouth. Res Ed is seven sex ed programs in the Donner dorm during the '92-93 school year. Enough?

COMMENTARY

The Hill, the Ivory Tower, and Delusions of Power

Now that schools go out of their way not to teach the values that our country was founded on, Congress has decided (albeit unconsciously) to take over in this vital area and lead by example. Unfortunately, Americans will have to learn core values by doing the opposite of our elected officials. After a summer thick in debate and thin in humility, Congress still believes that the impetus for massive societal change can be generated by the passage of legislative bills thicker than Sy Spelling's hair weave.

The lessons we at Stanford can learn from our government's summer debates are as plentiful as fallen officials of the Treasury and Agriculture Departments. Health care, more so than the highly political Crime Bill, strikes at the core of what ails Washington and, for that matter, what is taught to budding political servants. What the lawmakers obviously have not been taught is humility and their weighty delusions are strip-mining effective institutions such as health care. When Congress began this gargantuan debate, Bill Clinton and Friends were—and still are—under the delusion that one small group of individuals can run roughshod over one-seventh of the U.S. economy. Their mass psychosis stands virtually impermeable to the lessons of history, which show that massive governmental intervention has not improved things for people and, if anything, have damaged the quality of life. If the bankrupt Medicare and Social Security systems are not proof enough,



Michael Meyer

we can simply look at what has transpired in Sweden with its purely Socialist government. Five thousand percent interest rates and productivity levels rivaling Third World countries are hardly raving successes for Sweden's big government. The issue at hand is humility—can one person or small organization really dictate the ebb and flow of a generous chunk of a 250 million-person economy? No, that is just too much to ask.

Sure, it would be nice if government did have all the answers, but the painfully realistic bottom-line is that it doesn't. Health care is one-seventh of the American economy or, in other words, larger than all but seven other countries' economies. We are not dealing with mohair and chick pea subsidies here, but Congress approaches health care with the same strategies, which aren't even successful in the mo-

hair and chick pea markets, themselves. During this summer's congressional debates, many prominent Republicans, who supposedly subscribe to the "less is more" mantra when it comes to government intervention, compromised and compromised until they too were proposing legislation that reaches too far into the everyday life of an American. While Senator Phil Gramm (R-TX) appeared to be nothing more than a political stalwart during the debate when he vowed to vote against any proposed health care legislation this year, he was in all reality throwing the proverbial health care ball back into the citizens' court. His point was simple: Government is not capable—financially, intellectually, and politically—of providing the type of health care revolt supposedly demanded by Americans. He admitted

that government—heaven forbid!—has limitations and is oftentimes only in a position to delegate to American citizens themselves. Senator David Boren (D-OK) most directly voiced the humility that the Legislative and Executive Branches so woefully lack when he queried

whether Congress "can even reform health care." He continued by saying that he had resigned himself to the fact that Congress was simply in over its head in the health care reform debate. Now, was that so hard?

By now, you are probably saying that I am a contented, insured cynic who is at ease with the fact that millions of Americans sup-

posedly do not have health care, but you're wrong. Simply put, every American does have health care, inefficient in delivery, but still health care. For example, when a gang-banger is shot in Chicago, the paramedics worry about his life long before they ask him about his insurance coverage. County hospitals dole out free health care daily to the uninsured. To further refute the lack-of-sensitivity charge, I will tell you that I trustfully look to American people and businesses

before I look to government if I want social tumult. But, Mike, isn't this the government's responsibility? Sure it might be, but the fact that the government maintains helium reserves (we haven't had a blimp since 1945) and subsidizes the mohair producers

We are not dealing with mohair and chick pea subsidies here, but Congress approaches health care with the same strategies, which aren't even successful in the mohair and chick pea markets themselves.

in the name of national security (the military stopped wearing mohair after WWI) is a powerful reason to turn to alternate resources for efficient change. Tell me I am faithless, brand me a cynic, label me a pessimistic bum, but I will throw cold, hard history back at you: Turning things over to the government is like feeding a bear a marshmallow—it is going to cost you an arm and a leg.

continued on page 8

Campus Ministries: The Next Target of Political Correctness

In the most recent manifestation of political correctness at Stanford, several Jewish, Protestant, and yes, even Catholic, campus ministry representatives joined dozens of gays in White Plaza for the annual "National Coming Out Day" celebration.

Far from simply accepting homosexuals as human beings or rightfully acknowledging their inherent dignity as individuals, the ministers officially rejected biblical teaching, challenged the traditional views of their respective religious denominations, and dangerously legitimized the homosexual lifestyle as a moral equivalent to normal heterosexual relationships. Rev. Herb Schmidt of the University Lutheran Church bluntly summed up this most recent liberal trendiness: "Christian churches should ordain women and gay pastors as well as per-

form same-sex marriages." This statement, along with the rest of last Monday's performance, has major implications for both the pro-homosexual movement and the fate of liberal min-

istries at Stanford.

Pro-homosexual groups are quick to label conservatives, Christians, and proponents of traditional values as homophobic and intolerant. But these labels are clearly misguided. The pro-homosexual agenda is about more

than just tolerance—it's about unconditional acceptance of what has proven to be a dangerous lifestyle. At Stanford, for example, the pro-gay club will stop at nothing to secure special funding, additional campus resources, homosexual curriculum development and, more recently, total acceptance from what traditionally has been a safe-haven for conservative

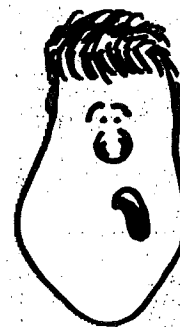
students—the campus ministry. It is one thing to simply request acceptance as human beings, and quite another to directly impose an anti-Christian morality on students, not just in the

The pro-homosexual agenda is about more than just tolerance—it's about unconditional acceptance of what has proven to be a dangerous lifestyle.

theological escapism on the part of the ministers, gay agitators would pose no threat, but unfortunately, many campus ministers could not resist the homosexual challenge. While they may have gained brownie points with homosexual activists, they have jeopardized the faith of sincere Christians hoping to follow the word of God through their ministries, possibly

continued on page 8

Is your
Clinton
better than
this?



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We need cartoonists,
graphic designers,
photographers,
and anyone else
blessed with
artistic talent.

Professor calls pre-marital sex 'depersonalizing'

By May Mak
Staff Writer

"The best way to get rid of temptation is to indulge in it," said Dr. Raymond Dennehy, in his lecture last Tuesday entitled "Chastity: The Much Misunderstood Virtue of Sexual Behavior." However, the philosophy professor from the University of San Francisco quoted from Oscar Wilde's *Picture*

Dr. Dennehy indicated that he believed that chastity was clearly preferable to promiscuity. Defining chastity as the virtue of temperance as applied to sexual appetite, he believed that a truly virtuous soul would be free from such strong desires due to habitual moderation and harmony in life. However he emphasized that mere suppression of desire by sheer will power was not virtue, and pointed to Shakespeare's *Macbeth* as an example of willed inaction that was nevertheless not virtuous. The murderous *Macbeth* was described as "a feather for every wind that blows, though constantly resisting desire." While a virtuous soul will have calmness and self control, *Macbeth's* did not.

The professor went on to clarify Aristotle's three qualities of virtue. They are: to do the good act knowingly; to carry out the act for its own sake; and lastly, to act from a fixed and permanent state of character.

In other words, a virtuous person has to be consistent in his behavior, and has to view the act as a necessity, consciously grounding it into his nature.

Next, Dennehy proceeded to state his stand on what he calls the free sex climate in America. Strongly opposing pre-marital sex and instant sexual gratification as perceived through one night stands, Dennehy said that such behavior was "depersonalizing."

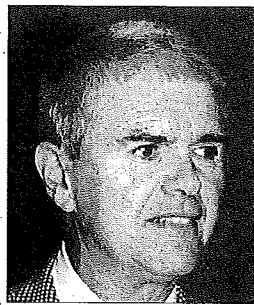
Dennehy pointed out that many people believe that as long as there is mutual consent between two mature responsible individuals, pre-marital sex is morally acceptable. However, Dennehy contended that the absence of deception and manipulation is a condition necessary for an act to be morally right. Therefore, as long as sexual gratification is the main goal of extra-marital sex, manipulation is inevitable; since the body is being treated merely as an object of pleasure.

The importance of procreation cannot be emphasized too much, contended Dennehy, for there is a decline in the United States birthrate and a gradual "graying of the population." As such, Dennehy also expressed his belief that sex drive, unlike other appetites such as hunger, was made more for the species than for the individual, and should be used for such as well besides mere pleasure; mutual giving cannot be separated from procreation.

Dennehy also expressed his view on the importance of marriage, saying that cohabitation was not the same as marriage since the level of commitment in cohabitation as high as that of marriage. One could just walk quietly away from a lover, but not as quietly from a marriage which has already been made public and official. Moreover, mere cohabitation might be detrimental to the setting up of families, which Dennehy perceives as the building block of society. To support his argument, Dennehy cited statistics showing that children are still better off in bad marriages than those in single parent families, showing the importance of family ties. Dennehy said, "The central unit of society is the family, and not the individual."

Finally, Dennehy said that in expressing one's views, one is bound to step on another's toes every now and then. However, this is necessary if society is ever to progress. He concluded by saying that the media has a very influential role in spreading values, and thus should be more supportive of family values, instead of just urging people to indulge.

Dr. Dennehy's lecture on abstinence was the second of a series of four lectures by the Professor on the contemporary importance of moral virtue in American society. The third and fourth lectures will be held on at 7pm on the second floor of Tresidder on October 18 and October 25, respectively.



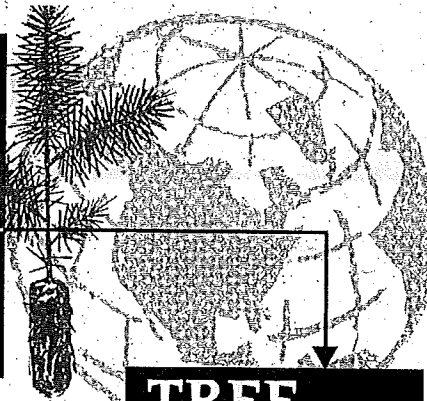
"The central unit of society is the family, and not the individual."

In the second of four presentations on the contemporary importance of virtue, Dr. Raymond Dennehy offered his views on marriage and the family,

of *Dorian Gray* in order to make it clear that he did not sanction such behavior, especially as it pertains to pre-marital sexual behavior.

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◆ Taco Bell

continued from front page

In addition to this, the restaurant, along with Coffee House, was going to remain open until about one or two o'clock in the morning, perfect for the unconventional schedules kept by many students.

No matter how perfect the scenario of a Taco Bell on campus might seem, problems soon developed after the equipment was purchased. The Health Department of Santa Clara County deemed that the facilities in Tresidder were insufficient to house the Taco Bell without a major overhaul, an effort which would cost the University about \$100,000 for new ventilation equipment, according to Clark. Stanford would also have to invest some \$50,000 toward the drainage system, Gregowski noted.

Hesitant about spending such huge sums of money without any guarantee that no further expenditures would be necessary, University officials are currently reviewing the matter.

Questions still remain, however, as many students wonder why it was announced last November, and again this spring, that a Taco Bell would soon be installed when it was clear among officials that the University was not yet ready to do so. Regardless of where the blame should fall, the bottom line, according to Gregowski, is that Taco Bell "won't come [to Stanford] this year."

"It is still our intent to install a Taco Bell," she said. "We hope to be able to install it [during] the next academic year."

Is Asian American Studies on the way?

By Victoria Markova
Staff Writer

Stanford may soon be awarding bachelor degrees in Asian American Studies. An investigative committee considering Asian American Studies, chartered by President Gerhard Casper last spring and chaired by political science professor and Asia/Pacific Research Center co-director Daniel Okimoto, is expected to give a report to Dean of the Humanities and Social Sciences John Shoven by the end of November.

The panel, consisting of faculty and students, was chartered to investigate the feasibility of such an enterprise and is still in the process of researching the possibilities for the establishment of a program or a degree-awarding major in Asian-American Studies. Student opinion on the issue ranges from disinterested lassitude to fervent enthusiasm.

According to committee member Gerald Chen, the committee is also discussing "the intellectual philosophy of the subject of Asian-American Studies." Their work involves "fact finding" about similar programs at other colleges and the history of Asian-American Studies at Stanford. No final conclusions have been reached on decisions made.

One of the main arguments for the program is that Asian-Americans have been an integral part of American history and their contributions deserve to be noted. Having in mind that Asian-Americans constitute about a quarter of the Stanford student body and the

University's commitment to multiculturalism, it is only fair, they argue, that a program devoted to studying a large component of American society be established. In the words of Jason Pu, a student proponent of the program, "If Stanford wants to remain competitive in shaping education for the next century then it should, nay it must, make Asian-American Studies and

Supporters of an Asian-American Studies Program invaded a Faculty Senate meeting last May 12, causing the first premature adjournment of a faculty meeting in the history of Stanford

the study of other marginalized issues a priority." By "other marginalized issues" he meant programs like Chicano Studies and self-defense for women.

Some administrators and faculty, however, have expressed apprehension about whether faculty interest or student demand should determine how resources are allocated to majors and programs. Stanford President Gerhard Casper said that he fears that the various ingredients of American culture "be put into niches that are separate."

Universities must, according to Casper, make decisions for academic and not political reasons. If they don't, fragmentation is inevitable. Casper's notion stands in direct opposition to the program's proponents view who consider academia inseparable from politics.

Stanford students are left pondering the need for the establishment of an Asian-American Studies Program. Many are uninterested in an issue that they feel is intangible to their immediate goals.

Stanford exhibit 'Comes to Terms' with gay history

By Lucas Mast
Staff Writer

In commemoration of the twenty-fifth anniversary of the Stonewall riots, Green Library featured a display, entitled "Coming to Terms," which puts the history of gays at Stanford on a timeline. The six-station display, which features photos and paraphernalia, is the work of Dr. Gerard Koskovich, a Stanford alumnus who specializes in gay history. "Coming to Terms" was exhibited from July to October in Green Library.

The display is based on Koskovich's research into the history of homosexuality at Stanford. The display is broken down into subsections which reflect different time periods in Stanford's history. The first display is an introduction which discusses the Stonewall Riots of 1969; the riots were the basis for the George Segal statue "Gay Liberation," located on Stanford campus and recently vandalized by the nationally infamous "Stanford Six." Immediately after the riots occurred, the first cohesive student group for homosexuals appeared on campus.

The next section, entitled "The Great Divide," focuses on friendship, gender, and sex before World War I. The display features pictures of the 1895 football team as well as the Kappa Alpha Theta sorority. The assertion in this section is that the formation of sororities and of rugby/football caused the formation of many bonds that eventually led to homosexual relationships. In the text of the display, Koskovich states, "[e]asy physical affection grew out of the routine bodily contact and intense loyalties of team sports."

The exhibit continues with a section on "Anxious Boundaries—Homosocial and the Homosexual from World War I through World War II." According to this display, there was a shift in sexual preference on campus. The evidence behind that claim is a statement written in the 1945 Stanford Quad that "Gaieties are getting gayer every year." This display is accompanied by a picture of men performing

at Gaieties dressed as women.

The next section, "Menace in the Shadows," deals with the hardships that homosexuals faced in the 1950's and 60's, when gays began "perceiving themselves as a persecuted minority" and began segregating themselves from a "mainstream society" that sees them as threatening. This gave birth to the idea of the "gay bar."



A new Green Library exhibit chronicles the history of gays at Stanford.

"Organizing Change" is the final topic of the display, which tells the story about early campus gay rights, such as the Stanford Homophile League, the Gay Peoples Union, and the Stanford Sexual Rights Forum.

In his display, Koskovich hopes to encourage students to be open-minded when it comes to the issue of sexual orientation.

"People need to understand that the lesbian and gay community has come out of a special set of social circumstances," argued Koskovich, "[h]eterosexuality cannot simply be deemed the norm."

Koskovich, however, believes that Stanford has already made strides towards tolerance. In a June 1993 Stanford Magazine commentary, Koskovich quotes John Preston who in The Big Gay Book wrote, "Stanford University boasts one of the most complete college gay and lesbian presences in North America."

◆ Food Service

continued from front page

lieve there's any talk of changing that."

Students whose money purses are assaulted by university board plans may ask: Where does all our money go? Contrary to popular belief, rather little of the revenue actually buys food, while large sums fill other coffers. "Housing and Dining Services funds the Residential Education program," said Mitchell, adding that, "there's a fairly good chunk that goes to administration."

What would a breakdown of Food Service costs show? "I don't have current data on that," Mitchell admitted, though he estimated that, "It's about 30% that goes to food... about 40-45% to labor and benefits. The remainder is overhead and administration."

Thus overhead and administrative costs approximately equal expenditures for food, while labor and benefits account for surprisingly close to half of the costs. Does this mean the unionized Food Service workers are overpaid? "To me, they [the wages of Food Service employees] seem to be very generous," commented Mitchell, adding, though, "I think it has advantages to pay good career-level wages to our staff. I think

that the types of service we provide require a trained food service staff."

Mitchell claims Food Service strives hard to provide students with the best. "We work really hard to update our menus all the time," he said. He also cited improvements at residential dining locations, such as Wilbur and Florence Moore Halls, which have been completed in recent years.

"We're continually trying to upgrade our offering," he added.

"I think that the types of service we provide require a trained food service staff," said Mitchell.

While Mitchell claims ever-improving service, some students perceive a deterioration. Students in Lagunita Hall, for instance, must, starting this year, trek to another location every week for their Saturday meals.

"It's irritating," stated one frustrated Lagunita resident. "There's nowhere else on West Campus to eat if you don't have points." She added that most Saturdays she makes the journey to South Campus' Florence Moore Hall to dine.

Roble Hall residents have also found their service reduced. No dinner is served on Friday night, and the kitchens are closed all of Saturday.

"I think it's a shame," stated Senior Mike Chinnavaso, a Roble resident. "I guess they're just trying to cut costs." He

added, though, that he doesn't really mind going to other dorms. Roble barbecues, he stated, are often held on Friday nights to offset the absence of Food Service dinners.

An analysis of the shortcomings of Stanford Food Service begs the question: is there a better option? Student proponents of the free market have repeatedly urged the competition and privatization of food sources on campus in general. Could such a proposal be realized? Could a single contractor (or perhaps several) supply Stanford's food? Mitchell thinks not. "I don't see structurally that anyone would be interested in doing that," he stated, adding that he believes competition already exists in the form of the edible offerings of Tresidder's contractors.

Interestingly, though, other schools seem to be moving in the free-market direction. According to an article in The Courier-Journal, of August 17, 1993, "Most universities now have private companies operate their food services..."

One institution pioneering reform in culinary matters is the Loop campus of De Paul University in Chicago, where a contractor named Sodexo, a Boston subsidiary of a giant French food company, provides 3,500 meals each day. The Loop cafeteria, which offers many brand-name products such as Taco Bell, Pizza Hut, Starbucks Coffee, and Dunkin' Doughnuts, is open from 7:30 in the morning until 8:00 in the evening, thereby adding flexibility to students' hectic schedules. The eleventh floor dining room, described as, "popular with alumni and university administrators wooing prospective donors," offers sit-down, full restaurant service.

Yet the price of such an elaborate setup puts Stanford Food Service to shame. Freshly grilled tuna salad sells for \$6.00, while a sandwich of fresh roast turkey with cheese on a baguette or croissant with a side of chips costs a mere \$2.85. "This is not a board plan with the students paying in advance," says Linda Beck, director of the Loop operation. "Most of our business is cash and customers can decide to go to McDonald's or Burger King instead. We need to offer what they want and be cost competitive."



The Stanford Review

VOLUME XIII, NUMBER III
OCTOBER 17, 1994

Founded MCMLXXXVII
Norm Book
Peter Thiel



EDITORIAL

Editorials represent the opinions of the editorial board on a topic relevant to the Stanford community. The board consists of the editor-in-chief, opinions editor, and three editorial writers, with additional input from other members of *The Stanford Review*.

CUEing in the Next Century

An adventure almost two full years in the making, the CUE recommendations are a mishmash of innovative new ideas and adherence to tried and failed methods of evaluation.

First, the good stuff:

It is about time that someone finally wants to revamp CIV. In our last issue, we suggested that the University declare CIV clinically dead and pull the plug. What began as a popular Western Cultures requirement, designed to provide freshmen with a common survey of the culture in which they live has become a 15-unit hodge-podge of texts chosen on the basis of the color, gender and ethnicity of the author. The CUE suggests that Stanford restore a common sense of purpose to CIV, and then abolish the World and American Cultures requirement (Areas 2 and 3).

We doubt that a "common sense of purpose" can be found in a requirement deliberately intended to explore "multicultural diversity," which is axiomatically uncommon. If the University can pull off a miracle and restore curricular consistency and common purpose to CIV, then by all means we will endorse the abolition of Areas 2 and 3. Otherwise, the answer may be keeping 2 and 3 and waxing CIV, or eliminating all three requirements altogether and bringing back the Western Cultures.

The recommendation of a beefed-up writing requirement is an excellent idea, and one that we have proposed from time to time in these pages. However, we suggest allowing talented writers who plainly do not need a writing-intensive course the option of placing out of this requirement and pursuing a more traditional path instead.

We also approve of introducing a minor for students so inclined. It will encourage students to acquire depth and breadth alongside their major. Strengthening the foreign language requirement, improving teaching methods and advising procedures are all good on paper, though not so easy to implement.

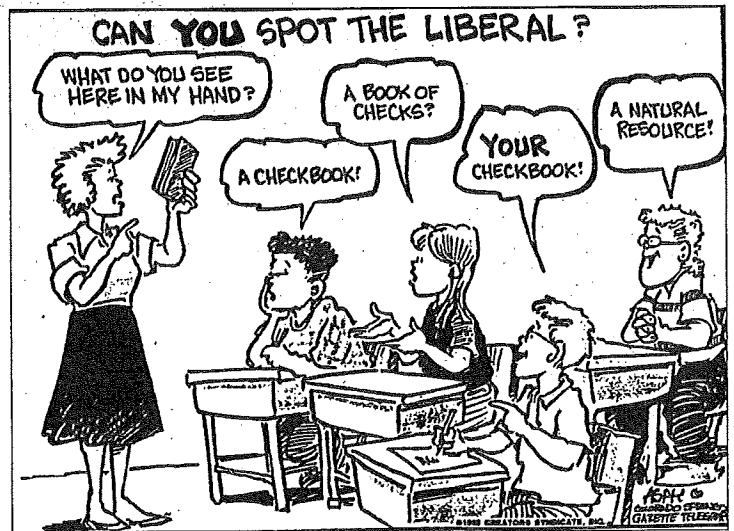
Now, the bad stuff:

The CUE also recommended that the University replace the current math, science and technology DRs (Area 4, 5 and 6) with a year-long sequence called "Introduction to the Natural Sciences, Quantitative Analysis and Technology." Where does this infatuation with year-long requirements come from? The current DR system isn't perfect, but at least it allows students in quantitative and/or analytical majors to simultaneously fulfill major and DR requirements. With a new year-long system, however, students with sufficient quantitative backgrounds will be forced into tracks that are of no benefit to them. What does an economics major or engineer need with "Intro to Quant and Tech" when he's taking econometrics or fluid dynamics? The purpose of distribution requirements is to broaden educations, not to provide requirements that overlap with previous skills.

The recommendations to survey teaching methods are still vague. How exactly do we improve teaching? We suggest several ways that the CUE is unwilling to consider: first, force professors to teach all of their classes, and eliminate graduate student TAs. Grad students have enough work already without teaching undergraduates, and seldom possess the intelligence and insights that sixty-year-old geniuses have. It is especially important that graduate students do not teach CIV or Freshman English sections, for these requirements are the most basic foundations for a Stanford education, and hence most in need of professorial tutelage.

We would also recommend allowing students the three-year option for early graduation. This allows students a flexibility and power of choice that will help, by sheer competitive forces, select out classes that have become cumbersome and unnecessary to a formal education, yet entrenched into the requirements through procedural, departmental discrepancies.

There are still far too many distribution requirements for students to comfortably handle. The CUE suggests reducing the number by two, but others can go as well. CIV can be cut to a quarter, and the Gender Studies requirement can go entirely. The quantitative requirements can be compressed to a quarter, and waived entirely for students demonstrating a proficiency in a quantitative field.



VIRTUE AND NATURAL LAW

Dr. Raymond Dennehy

Mortimer Fleishhacker Chair of Philosophy
University of San Francisco

Dr. Dennehy, one of the founders of the Ignatius Institute, will be discussing the contemporary importance of virtue in America today, as well as how we can lead virtuous lives in modern society. He will be using William Bennett's best-selling *Book of Virtues* to aid his presentation.

TUESDAY, OCTOBER 18TH

TRESIDDER: OAK LOUNGE EAST

7:00 - 8:30 PM

Sponsored in part by Stanford Students for Life
and Students for a Traditional Sexual Ethic

DEBATE ON PROPOSITION 187

Tuesday October 18, 1994

4:00 PM

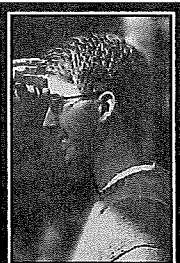
LAW SCHOOL ROOM 180

COMMENTARY

Reasonable Doubts?

The winds of freedom — freedom from common sense — are blowing again at Stanford University, the only novelty being that, this time, the University is not leading the academic world in its pursuit of P.C. frillery. Last week, the Monday edition of the "Daily" reported that concerned student-leaders and administrators are uniting in a plaintive demand for a relaxation of the burden of proof required in prosecuting alleged violations of the University's Fundamental Standard, especially in cases of sexual assault. The current burden of proof in University judicial proceedings, the traditional criminal standard of "beyond a reasonable doubt," is apparently the strictest of its kind in American higher education and just too onerous to be countenanced by a community dedicated to eradicating sexual assault.

In support of their demands for a more "intermediate" burden of proof, administrators and activists working against sexual assault have vouchsafed a panoply of arguments, but none of them are powerful enough to convince any battle-scarred P.C. warrior that relinquish-



Ryan Bounds

ing a shred of protection from inappropriate and potentially damaging University sanctions would prove a remedy to sexual assault on campus. But the discontented contend that a strict burden of proof is inapposite in a community situation in which there is no potential loss of liberty or fundamental rights.

This assertion fails utterly to provide adequate justification for abandoning a strict burden of proof whose only purpose is to protect every member of this community from punishment for behavior in which he did not engage. Emasculating our burden of proof in the interest of eradicating all hints of antisocial behavior in our community is presumptively invalid, not because students entertain some innate fidelity to "beyond a reasonable doubt"

(a standard that is not used in most civil cases in the U.S.), but simply because they did not come to Stanford University to be parented or morally reared. Although it is understandable, even advisable, in paternalistic situations to place a greater emphasis on punishing misbehavior than on respecting the integrity of its suspected perpetrator, such a strategy is wholly inappropriate, insulting, and dangerous in a community whose members are socially and morally competent and expected to assume lifelong responsibility for their actions. Unlike

our parents' sending us to bed without dinner because they are "fairly certain" we have committed some misdeed, there is no forgetting in the morning the University's branding us for running afoul of our responsibility to

[The discontents] complain that "beyond a reasonable doubt" is an unbearable onus in attempting to prosecute rape cases, notorious for their lack of disinterested witnesses and physical evidence. Indeed, the burden is great when they have not the evidence to meet it!

the Stanford Community

Assume that one student is spuriously accused of raping another, and that the adminis-

tration imposes sanctions after finding that the accusation carries the burden of a preponderance of the [typically scant] evidence. The judicial committee is not going to give a light punishment

to a student whom it takes for a rapist, the aim of which might be to instruct him of his moral obligation. No, the punishments that the administration reserves for persons believed to be of such wanton disregard for their fellow students are severe and indelibly stigmatizing; they range from freezing the student's registration or transcript to outright expulsion. Are these punishments that a reasonable Stanford student should be willing to suffer, whenever an accusation — however unfounded — bears the preponderance of available evidence? No. When the University plays sheriff, judge, and jury, it must act under the same constraints; it must be as certain of guilt as institutionally possible before meting out punishments that inevitably endure beyond the period of its guardianship.

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Scoundrel Time

The word "politics" comes from the Greek *poly*, meaning *many*, and the English *tics*, meaning *blood-sucking parasites*. So it's no surprise that we are now stuck with an administration in Washington, D.C., the likes of which hasn't

passed through the large intestine of the American body politic since FDR was wheeled down the disabled access ramp to Hell, and we need to send it a message: wipe those gnostic smirks from your face and screw off.

In the Eastern bloc now, they have a word for people who aspire to be in government, and in Rumania they know what to do with them. But since physically assaulting government officials would violate ASPCA guidelines, it may be wiser to merely throw Democrats — those spawn of the President, incubi at the public teat, bakers of wind, bottom-feeders off the enviousness of the middle class like the squamous muck-dwelling ditch carp that they are — out of office in the upcoming elections.

So, I devote my entire column to discrediting the Clintonistas for the envy-coddling tax lice and fuzzy-minded one-worlders that they are, in the most effective way I know how: by quoting them directly.

Boy Clinton

I dealt thoroughly with Port-Au-Prince William and his prevarications on page 2, so let me just add one more quote, from former Polish dictator Wojciech Jaruzelski: "Actually, in Clinton's program, I see elements I like a lot."

Hillary Clinton

The Wicked Witch of the West Wing is, by all accounts, a bossy little snoot who beggars achievement, piddles on accomplishment and applauds herself for her own munificence with other people's money. I know an exterminator who wants her to pose on the side of his truck. That she is the brains behind this Administration means only that in a roomful of loons, she *still* stands out.

Here's an excerpt from a speech she made to the American Bar Association in 1992: "As women and as lawyers, we must never again shy away from raising our voices against sexual harassment. All women who care about equal opportunity — about integrity and morality in the workplace — are in Anita Hill's debt."

And here's a speech she made to a reporter when asked to comment on Paula Jones allegations of sexual harassment against President Clinton: "No comment! I said 'No comment!'"

Take heart, HRC, in these times of trouble, and console yourself with this piece of advice: tomorrow is the next day of the rest of the month.

Vince Foster

Actually, Vince isn't so bad: there's no dishonor in becoming the good kind of Democrat. Besides, he has provided the NRA with its latest slogan: "If Vince Foster had had a gun, he wouldn't be dead right now."

Also, Foster gives me an idea as to what to do with Boy Clinton if he wins in 1996. After all, we conservatives not only support the Second Amendment, but we *own* guns, too. We can take the liberals: all they have is Carl Rowan, and he had a doped-



Aman Verjee

Points of Light

"You can't maintain a civilization with 12-year-olds having babies, 15-year-olds killing each other and 18-year-olds getting diplomas they can't read. The welfare state has failed because it subjects [people] to rules that are anti-family, anti-work, anti-property and anti-opportunity. The challenge of our generation is to replace the welfare state."

Representative Newt Gingrich (R-Ga.)

"Spend the night with Lucie and have no regrets in the morning (because you've done it all — eat, drink, study, and socialize!)"

Advertisement for (Lucie) Stern Hall Late Night Food Service

"My feeling is that these institutions can't last long. Too many appointments are made on the basis of political criteria — ethnicity, race, and gender — rather than the proper academic criteria. I don't think this will lead to any good."

Alumnus and Nobel Prize winner John Harsanyi

"Why is the press America's showcase for freedom? Because just about everything else has been regulated."

Cullen Hightower

"A culture in which citizens don't want to take control of their lives is very responsive to leaders who foster dependency on the government."

Charles Sykes

"A hundred years ago, women were fighting for the right to learn math, science, Latin — to be educated like men; today, many women are content to get their feelings heard, their personal problems aired, their instincts and intuition respected."

Christina Hoff Sommers

"The law is fair to all. In its fairness for equality, it forbids the rich as well as the poor to beg in the streets and to steal bread."

Anatole France

continued on page 12

◆ Guerrero

continued from page 3

alienating many of them. The self-destruction of campus religious groups is not a far-fetched exaggeration. It is an imminent reality! The liberal impact has apparently gotten so bad that many students now commute to local parishes and churches that are not yet tinted with campus liberalism for religious services of the same denomination that are available on campus.

I suspect campus ministries might really have charitable intentions in supporting the pro-homosexual campaign, but they have mistakenly welcomed the cause with open arms. Many religions accept people who have struggled with drug addiction and prostitution, but rather than fueling these miscreant urges, church officials try to rescue the individual from their problems, provide spiritual direc-

tion, and encourage them to lead moral lives. If campus religious groups really want to help and reach the homosexual community, they should consider this model. The homosexual lifestyle, not the homosexual orientation, is sinful and damaging to the individual. Like homosexuals, we too are not perfect, but this fact does not, and should not, deter us from our faith. The answer to unnatural tendency is not to promote the behavior, but to sincerely help individuals receive moral formation, repent for their sins, and truly accept the teachings of the Bible. But never should Christianity compromise its standards on virtue. Not for Stanford. Not in this country. Not ever!

Jack Guerrero is a senior studying economics. He is the opinions editor of *The Stanford Review*.

◆ Meyer

continued from page 3

So, you wonder where Stanford fits into this scenario? Well, it all comes back to what I said in the beginning: Today's schools actively avoid teaching human virtues. If Stanford were to stress a process of small changes (adding up to significant change) made from within the system instead of encouraging cataclysmic revolt, the politicians-to-be might be a little more humble and prudent in their legislation and much more successful for it. Rash overnight revolution and broad rewriting are—as they are throughout our education—given higher priority than the smaller, controlled changes that actually encourage progress.

Moving away from the abstractions here, look at the revolution that brought about our current DR and CIV programs. Revolution has resulted in less satisfaction and more confusion than ever before. If the now-defunct Kennedy Administration had opted to implement smaller changes over a broader time frame, results could have been closely monitored and the changes that worked for the better separated from those that failed. Instead, Stanford wallows in confusion and cannot pinpoint the

weaknesses and strengths of the rashly implemented system. Put bluntly, Don Kennedy and the small group of people who induced this revolution were in no way capable of overhauling a system in one night, as they did.

Humility is forgotten as politicians here and on The Hill rush to revolutionize something that only needs fine tuning. Admitting you are not capable of something is not too popular at Stanford, but let me be the first to say that I have no idea how to overhaul one-seventh of the U.S. economy. How many people really do have the insight to control a system that delivers health care to over 250 million people? Not many and none today. In this race to rebuild our country, we are losing grip of reality and falling prey to the nastiest of all self-delusions—that we do not have any limitations.

Michael Meyer is a junior studying economics. He is the senior editor of *The Stanford Review*.

*Tired of
being stuffed
by the
campus left?*



FOR THE RECORD

✓ After massing Iraqi troops along the Kuwaiti border, Saddam Hussein abruptly decided to pull back last week. Apparently, he wanted to test the resolve of his American counterpart, President Clinton, who had promised in no uncertain terms that, if Hussein invaded Kuwait, he would destroy Iraq. At first, Hussein wasn't buying it, but, after seeing what Clinton has done to America, he decided to withdraw.

✓ Last Thursday, a whale was found swimming in East Bay, well off of its migratory route and in mortal danger. This is the second time in as many years that a whale has been found in that area, and yet there is no outcry from the world community for the removal of what has obviously become an obstacle in a major whale thoroughfare.

✓ Recently, someone spray painted on the steps of Cubberly Auditorium the oh-so-pithy and profound statement that "Columbus was an illegal alien." OK, let's run with this logic, shall we? Columbus was an illegal alien for a single reason: he came to a land without the advance invitation of the prior inhabitants. Well, when the people crossed the Bering Strait thousands of years ago (that is, assuming the great evolution and migration theory is correct), were they not 'illegal aliens,' too? And weren't the invading tribes from Central America illegal aliens when they moved to what is now California? Under this logic, it would seem that the Aztlan Movement so embraced by MEChA members is all about promoting illegal aliens. Say it ain't so. It is so, kid.

✓ "No, no! I said throw out the first pitch," said the umpire, as Bill Clinton hurled Hillary towards home plate.

✓ National Coming Out Day has come and gone again and this year's addition to the "Don't Count Me Out, We Will Hug You in Public, Too" Public Relations Award goes to the campus religious groups. Sticking with their usual "do not offend, even if it takes massive compromise" policy, the Episcopalians, Jewish, and Protestant leaders all expressed vocal support for lifestyles that are diametrically opposed to their core beliefs. This sort of pandering will only result in cathartic failures that will ultimately irritate the rest of each religious community until they simply leave with no intention of coming back. Stick to the basics here, guys, and stay out of politics. Religious leaders are not salesmen. If you want religion, go to them, but let's stop this business of guilty, bleeding-heart recruiting.

✓ Stanford Students for Life had hoped to co-sponsor a debate this year on abortion with the Women Center's Pro-Choice Alliance. However, pro-life students were stunned to find out that the pro-abortion group lost all its members and no longer exists. The pro-life victory of last year's co-sponsored debate must have extended beyond the attendant audience, to the hearts of the avid pro-abortionists themselves. But no hard feelings, guys. Stanford Students for Life always welcomes additions to its 60+ membership roster.

✓ It seems that Luis Fraga, the head of the committee on grapes, has apparently placed a gag order on members of his committee so that he is the only one to release information to the press. We were a little inconvenienced by this rule this week since Professor Fraga is currently on vacation, and unavailable for comment, and suggest that the gag order be lifted. But wait; perhaps we're wrong. After all, there's something to be said for the general principle of gagging MEChA consorts.

✓ Last Monday, Hewlett-Packard donated \$77 million to Stanford University for the construction of a sciences quad. It's a good thing that HP has placed restrictions on how the money can be spent, and did not entrust the discretionary power of the University. Otherwise, the ethnic centers would relish a swimming pool of their own in a few days.

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**Friday, 4:30 pm
Storke Publications Building, second floor**

A Look at Open Democratic Seats in Congress Shows How GOP Could Take Control of the Senate

The following piece is reprinted from the *Wall Street Journal*. It appeared originally on Tuesday, October 11, 1994. Gerald F. Sieb is a regular columnist for the *Wall Street Journal* and writes frequently on politics and public policy.

The words roll smoothly off the pundits' tongues these days: Republicans might regain control of the Senate in this fall's elections. They may even win control of the House for the first time in 40 years.

But how, exactly? Which seats will they have to take over to effect his political earthquake?

Those are the nitty-gritty details that rarely creep into discussions leading up to the Nov. 8 election. But they are precisely the details that will count the most on election night.

Upon closer examination of this year's congressional voting, it's fairly easy to draw a roadmap by which Republicans could win the seven additional seats they need to reach the 218 needed to take control there.

"You can count where they could get into the 210 range" in House seats, says congressional analyst Charles Cook. "At that point, you need a wave to get that little extra push." The question, then, is exactly how big the Republican wave is.

Of course, the bidding on all fronts could yet change dramatically if an international crisis over Iraq shakes up the country's mood and prompts a re-evaluation of President Clinton's leadership. For now, Mr. Cook is predicting Republicans will pick up five to seven Senate seats, meaning they could take control, and that they'll gain 27 to 32 House, meaning Democrats would stay in charge there.

If Republicans are to go over the top in either chamber when the votes are counted next month, here's a look at how they would have to do it:

Senate

There are 35 Senate seats up for election this year, 22 of them now held by Democrats and 13 held by Republicans. Nine of those seats are open—that is, the senators who hold the seats are retiring, opening the way for a newcomer.

The most likely formula for a Senate switch begins with a GOP sweep of the six open Senate seats now held by Democrats: Arizona (Dennis DeConcini retiring), Maine (George Mitchell retiring), Ohio (Howard Metzenbaum retiring), Michigan (Donald Riegle retiring), Oklahoma (David Boren retiring) and Tennessee (Harlan Mathew departing after having held Vice President Gore's old seat only briefly).

It is, in fact, the departure of so many of these Democrats that has opened the chamber to a possible change of power. Republicans' chances of winning most of those seats look pretty good right now. GOP candidates are clearly leading in Arizona, Maine, and Ohio, appear to be even in Michigan and close in Oklahoma. In Tennessee, the Democrat trying to win the open seat, Rep. Jim Cooper, had been leading, but he now looks vulnerable to Republican Fred Thompson.

But even running the table on these open seats won't be

enough for the Republicans. Three more things must happen.

First, they must hold onto the three open seats now held by Republicans, in Minnesota (David Durenberger), Wyoming (Malcolm Wallop retiring) and Missouri (John Danforth retiring).

Second, Republicans must perfect two sitting GOP senators who appear to be vulnerable: Montana's Conrad Burns and Delaware's William Roth.

Third, even if they do all that, Republicans still must defeat at least one sitting Democratic senator.

But Republicans are confident they can vanquish at least one of these eight Democratic senators: Harris Wofford of Pennsylvania, Charles Robb of Virginia, Edward Kennedy of Massachusetts, Jeff Bingaman of New Mexico, Dianne Feinstein of California, Jim Sasser of Tennessee, Frank Lautenberg of New Jersey or Robert Kerrey of Nebraska.

In reality, because the odds are against Republicans sweeping all the open seats and protecting all their own vulnerable incumbents, the GOP probably would have to pick off two or more of those vulnerable Democrats.

House

In the House, all 435 seats are up for election this year. Because of the magnitude of changeover needed to produce a Republican majority, it's hard to pinpoint which seats the Republicans need to win.

Democratic strategists estimate that between 150 and 175 seats are "in play," meaning they could go to the Democratic or Republican candidate.

The number to keep in mind is 52. That's the number of open House seats, meaning the lawmaker occupying the seat is moving on. Of those 52 open seats, 31 now are held by Democrats.

It is among these 31 open seats that Republicans are likely to make the biggest gains. Not only does the departure of

an established Democrat make such seats tough to defend in a hostile climate, but many of those seats are in districts that were made less advantageous for Democrats in the redistricting that followed the 1990 census. "The playing field has been leveled through redistricting," says David Dixon, political director at the Democratic Congressional Campaign Committee.

Even if Republicans sweep all of those open seats—a highly implausible feat—they still would need to take over nine more seats now held by sitting Democratic incumbents.

Unseating incumbents isn't easy because, no matter how unpopular Congress may be, sitting members tend to have more money and be better organized than a challenger.

But there are three areas in which Republicans contend their strength—or Democrats' weakness—gives them the best chance of knocking off incumbents.

The first is in the South, where a Republican tide has been rising in presidential elections for a generation and seems to be catching up in congressional voting. The second is Ohio, a traditional swing state where voters seem to be lining up more with Republicans and putting several of its 10 Democratic incumbents at risk. Finally, there is Washington state, where Democrats' poor showing in last month's primary leads analysts to think that some of the eight Democratic incumbents, including House Speaker Thomas Foley, are at risk.

Of course, winning control of the House would require Republicans to protect their own sitting House members who are vulnerable to being knocked off. In year in which voters are angry at incumbents in general, that won't be easy.

Consider two bellwether races worth watching. In Connecticut, Rep. Gary Franks, the only black

Republican in Congress, is struggling to retain his seat in a district that is 88% white. He won in 1992 with less than half the vote, because a third party candidate siphoned off 22% of the vote. Democrats say state Sen. Jim Maloney is mounting a good challenge.

The Republican incumbent traveling the rockiest road to re-election may be California's Ken Calvert. He is a freshman legislator who barely won in 1992 and who is facing a political image problem: Police found him in 1993 with a prostitute in his car. He wasn't charged with any offense.

—Gerald F. Sieb

A Roadmap for Republicans

Here's what the Republicans have to do to gain the seven seats they need to take control of the Senate:

1. Take at least four of the six open seats now held by Democrats.

- Arizona: Dennis DeConcini is retiring
- Maine: George Mitchell is retiring
- Michigan: Donald Riegle is retiring
- Ohio: Howard Metzenbaum is retiring
- Oklahoma: David Boren is retiring
- Tennessee: Harlan Matthews is retiring

2. Hold all three Republican open seats.

- Minnesota: Dave Durenberger is retiring
- Missouri: John Danforth is retiring
- Wyoming: Malcolm Wallop is retiring

3. Hold both of the seats where Republican incumbents are struggling.

- Montana: Conrad Burns is in trouble
- Delaware: William Roth is in trouble

4. Win at least three of the seats where Democratic incumbents are struggling.

- Pennsylvania: Harris Wofford
- Massachusetts: Edward Kennedy
- New Mexico: Jeff Bingaman
- California: Dianne Feinstein
- New Jersey: Frank Lautenberg
- Tennessee: Jim Sasser
- Nebraska: Bob Kerrey

◆ Bounds

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But before we refuse an attenuation of our rigorous burden of proof for fear of wrongfully levied sanctions, we should indicate the flaws that riddle the complaints of the discontented administrators and activists, whose minds are obviously transfixed by the tragedy of assault and rape. They complain that "beyond a reasonable doubt" is an unbearable onus in attempting to prosecute rape cases, notorious for their lack of disinterested witnesses and physical evidence. Indeed, the burden is great when they have not the evidence to meet it! Naturally, all crimes in all situations would be easier to prosecute, if only one did not have to prove quite as much...district attorneys would certainly throw a lot more murderers behind bars if it weren't for that pesky due process. But there is really nothing inherently wrong with the University failing to punish an alleged rapist—regardless his guilt—in the absence of adequate certainty; there is nothing that the University can do to objectively ensure that the rapist does not strike again. Only the legal system can do that, and if it lacks the certainty to do so, it is not necessarily up to the University to stick it to the suspect, anyway, just in case. Expelling students is probably not going to contribute a great deal toward a rape victim's recovery; there is no moral imperative to risk egregious error in doing so.

But the concerned parties contend that there is a real cost in the University's failure to prosecute sexual assaults as violations of the Fundamental Standard: the improbability of seeing sanctions levied against the alleged aggressor deters victims from filing charges. The probability of vengeance, however, is truly not what should motivate victims to seek justice. And, in all fairness, it probably does not. Instead, the fear of stigmatization (however justified, and at Stanford I would argue not very) might be a better source of a victim's reticence, and the link between fear of stigmatization and the leniency of a burden of proof is not at all clear. Those who concern themselves with all of the unreported rape on campus would do far better to convince potential victims that coming forward with truthful and balanced accounts of violation would cost them little but could contribute to recovery as well as justice.

Finally, our valiant combatants against sexual assault bemoan the likelihood that perpetrators of such horrifying conduct will go unapproached, blissfully ignorant of the consequences that must accompany violence. They seem to fear that the University's failure to impose sanctions for lack of evidence in reasonably clear instances of assault will leave the student somehow unaware that assault is bad. Aside from the fact that the University administration ought to restrain itself from usurping the role of omnipotent moral authority, it is an affront to every Stanford student, male and female, to presume that such a basic lesson has gone unapprehended out of a mere lack of exposure.

Again, however, nothing stops the University from punishing assaultive behavior when it is certain that a student has perpetrated it (even though we can expect that the law will also do so, much more effectively); we must nevertheless remain vigilant against attempts to allow the University to punish in instances of merely suspected misbehavior.

The failure of these arguments must bring us to conclude that it is not the stringency of the University's burden of proof that induces, allows, or encourages sexual assault, risible contentions to the contrary notwithstanding. The University and its administration exist to allow an atmosphere in which students can work with and learn from experienced scholars and from each other, not to act as an invasive adjunct to the system of justice promulgated by the larger community in which we live. It is an ominous and ill-advised step to afford the institution, itself, the prerogatives of paternalism, to allow it to punish us whenever there is a perceived utility in doing so. And in response to inadequately supported accusations of sexual assault, there is little utility, indeed. The complexities and difficulties that arise in fighting rape and violence in our community do not stem from the administration's inability to prosecute us due to inadequate evidence, and the solution to these complexities and difficulties is hardly to make it easier to do just that.

Ryan Bounds is a senior studying psychology. He is an opinions editor of *The Stanford Review*.

Grape committee prepares report for Casper

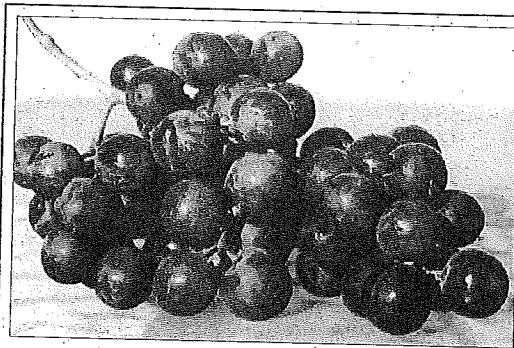
By Curt Hallaway and Ed Malone
Staff Writers

The committee that was formed in May to study the possibility of a ban on grapes on campus will soon be releasing its report to President Gerhard Casper, but the public knows little about the committee deliberations thanks to a gag order put on committee members by Political Science professor and committee chairman Luis Fraga, who is on vacation. According to members of the committee, Luis Fraga has taken on the sole duty of disseminating information to the public.

The ten person committee, which consists of faculty, students, and staff was formed as a result of the MEChA protest in May, when several MEChA members occupied the Main Quad and went on a hunger strike and demanded among other things that Stanford boycott grapes.

Professor Fraga is accompanied by nine other committee members: Coit Blacker, deputy director, Institute for International Studies; Judith Brown, professor, history; Henry T. Greely, professor, law; James M. Montoya, dean of undergraduate admissions; Shirley Everett, associate director, Dining Services; Valerie Zartarian, doctoral student in civil engineering; Alicia Schmidt-Camacho, doctoral student in modern thought and literature; sophomore Elvira Prieto; and Jay Won Lee, a senior in human biology.

Two of the members selected for the grape committee, Prieto and Montoya, and an associate member, Vanessa Alvarado, were all involved in the MEChA protest in May. Prieto is an ASSU senator and an active participant in the protest. She served as treasurer of MEChA last year. Dean Montoya stood right by the side of the Chicano protesters during the midnight hour when MEChA representatives were negotiating with President Casper and Provost Condolettezza Rice. Alvarado, a junior and a member of the Council of Presidents, is an active member of MEChA who slept in the Quad. Alvarado was chosen to gather research to the committee. Prieto has since declined her nomination to the committee.



Take a good look! Grapes may join the Lake Lag salamanders on the Stanford University endangered species list.

The straw that seemed to break the camel's back for MEChA was an incident that occurred on Sunday May 1, at Flicks. Flicks manager N' Gai Croal allowed MEChA to show a United Farm Worker's video before the main movie. The video entitled "No Grapes" was met with students jeering, "Beaners go home," among other things. Three days later, MEChA camped out in the Quad, demanding a campus wide boycott of grapes.

"[Stanford's failure to ban grapes] is an insult and a show of disrespect not only to the farm workers and their families but to our entire community and all those who believe in human rights," MEChA argues in their list of demands. "Stanford cannot keep ignoring those whose lives are being sacrificed to the pesticides. Stanford must ban grapes from this campus."

The boycott on grapes is not peculiar to Stanford and is not a new thing. For decades, labor leader Cesar Chavez has led a nationwide boycott of grapes until his death in 1993.

Advocates of the boycott argue that the vineyard workers are underpaid and that pesticides used by the growers are unhealthy to the workers as well as consumers.

"It is a well-known fact that the pesticides sprayed on grapes have detrimental and even fatal effects on the health of migrant workers. Studies have also shown that they pose similar dangers for consumers," wrote MEChA in its list of demands entitled *Fasting for Change*. "However, Stanford continues to serve grapes in dorm receptions, catered events, and even the Faculty Club. The truth must be known about grapes."

◆ Coming Out Day

continued from front page

question of translation, Akiyama explained that another issue question that should be raised about the scriptures is "that of historical context."

Akiyama has shown support for gays in the past. Last fall, she and Memorial Church Dean Robert Gregg invited a gay couple into Memorial Church to have a wedding, or "commitment ceremony." Akiyama performed the ceremony and helped the couple compose their marriage vows. As for the prospect of another gay ceremony at Memorial Church, Akiyama said, "We had a first, there will be a second."

Gregg insisted that his decision was religiously inspired and not politically motivated. "We insisted that the public relations and political ramifications be pushed aside," said Gregg to reporters after the ceremony. "We wanted to focus on what we were about religiously."

Not only did Gregg and Akiyama endorse this ceremony, they allowed the gay couple to bypass normal wedding procedures and have a speedy and free wedding. Ordinarily, those who wish to get married at Memorial Church must pay \$1,050 and be counseled for three months. Dean Gregg justified the free commitment ceremony on grounds that it was not a legal ceremony.

While the campus religious establishment sanctions gay relationships, other campus God-fearers insist on drawing the line between tolerance and endorsement.

"Certain campus ministers are involved in an effort to proclaim that people involved in homosexuality are no different from other people," said a campus Protestant minister who did not wish to disclose his name. "This is true, but not because all lifestyles are the same, but because we all need redemption through God's saving grace and the power of the new life he offers."

Melissa Cheok, a Roman Catholic and a founding member of Students for a Traditional Sexual Ethic, concurs. "Although we should accept them, we shouldn't say that what they are doing is correct," she said. "Jesus ate with prostitutes but he didn't say that what they were doing is right."

◆ Asian studies

continued from front page

Others, like Junior Alex Samsky, harbor a sincere belief in the freedom of students to choose what to study. Samsky declared, "Giving choices to students is good. And the more choices, the better."

On the conceptual level, there are plenty of students claiming interest in the program. Most of these envision taking enlightening courses from it and may be even adding it to their schedules as a second major. Junior Jason Low sees Asian-American Studies as an interdisciplinary major and not a separate department to be the best solution of the problem for both the University and the students. This way faculty already teaching Asian-American issues classes in other departments can be recruited for the program. A small minority of students expresses doubts that there would be

sufficient study material to constitute a major.

The creation of the committee was a hard-won victory for The Concerned Students for Asian-American Studies who culminated the upheaval of ethnic outcries last spring by disrupting a Faculty Senate meeting in order to voice their opinion on the issue. Encouraged by the attention that the MEChA protesters commanded last Spring, the supporters of an Asian-American Studies Program invaded a Faculty Senate meeting on May 12, causing the first premature adjournment of a faculty meeting in the history of Stanford University. This act certainly did not win these Asian American students the sympathetic ear of the faculty present at the meeting. It did, however, capture everyone's attention and make Asian-American Studies a salient issue at Stanford.

A few other colleges, such as Cornell and the University of California at Berkeley, have a degree-granting program in Asian-American Studies.

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ARTS & LEISURE

Defender of 'Elitism' proposes curtailment of college matriculation

The late William Henry III was a registered Democrat and a card-carrying member of the ACLU. In other words, he was a scoundrel.

And yet, the premise of his latest book, *In Defense of Elitism*, is shockingly sensible: it is, quite simply, that the great post-WWII dialectic has been between egalitarianism and elitism, and that egalitarianism has been winning all too often. Sometimes from the mouths of babes...

I should stop right here and explain what Henry means by elitism. He does not mean that an aristocratic clique should run government for the benefit of the masses. Here, in his own words, are the ideals that Henry admires as elitist:

Respect and even deference to leadership and position; esteem for accomplishment, especially when achieved through long labor and rigorous education; reverence for heritage, especially when it comes to history, philosophy and culture; commitment to rationalism and scientific investigation; upholding of objective standards; and most importantly, the willingness to assert that one idea, contribution or attainment is better than another.

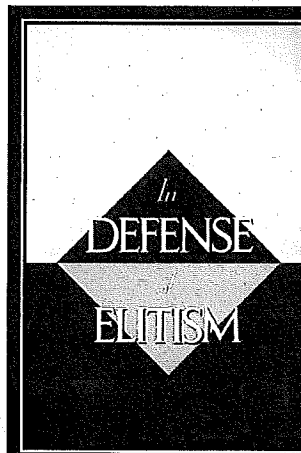
Henry diverges from both the Democratic mainstream and his ACLU brethren by committing himself to using merit and achievement — not race or gender — as the standards by which men are to be judged. He indicates that "[t]o belong to a selected or favored group is morally repellent when something other than learning and achievement serves as the basis for that selection or favoritism." In other words, he admires the kind of elitist who brags about his achievements and not his race or social class; who doesn't belong to all-black or all-white fraternities, organizations or unions; who loves competition, and thinks that success and failure will do more for character than coddling ever can; who hates tenure, and seniority, and affirmative action, and legacy admissions; and who doesn't grade on a curve and is willing to flunk the whole class.

Henry goes on to indict the egalitarian notions that have challenged these principles — to wit, the concept that everyone is pretty much alike, and that they should be so; moreover, that equality of outcomes and self-fulfillment is more important than equality of opportunity and objective standards of achievement. Radical egalitarianism takes the proposition that all men are created equal to its logical extreme: that all men should be at equal stations, in all endeavors of life. Elitism means that inequalities might result from a level playing field, and should not be adduced as examples of racism, sexism, etc.

The most interesting chapter in this book is on education, and as I had the honor recently of defending his premise on a live television show, I will direct my attention to his ar-

gument here. In keeping with his defense of elitist precepts, Henry suggests that far too many students are graduating from university in America. Since WWII, there has been a vast increase in the number of college students. In 1940, approximately 15% of American high-school students went on to college; by 1960, that proportion had doubled again, to 33%. Today, more than 65% of American students go to college.

business or journalism, the number of students outstrips the number of employed professionals; in America today, there are more students currently enrolled in journalism school than there are journalism graduates employed in the economy. The same holds true for MBAs. In fields such as biochemistry and even engineering, there are vast surpluses of degree-wielding academics.



Henry admires the kind of elitist who brags about his achievements and not his race or social class; who doesn't belong to all-black or all-white fraternities, organizations or unions; who loves competition, and thinks that success and failure will do more for character than coddling ever can; who hates tenure, and seniority, and affirmative action, and legacy admissions; and who doesn't grade on a curve and is willing to flunk the whole class.

In and of itself, this trend towards broadly accessible higher education might seem harmless, and even desirable, but Henry points out that the expansion of higher education has not necessarily led to its improvement as well. In fact, there is much evidence to suggest that while college used to be an honor, a distinction of particular achievement, a university diploma has now become commonplace among even intellectual also-rans.

For example, fully one-fifth of state universities in America are required to accept any in-state student who wishes to enroll, as long as that student has a public high-school diploma. Whereas college used to be a reward for doing well in high-school, it is now a reward for merely completing high-school; and, of course, with secondary schools in the state in they're in, finishing Grade 12 may not entail much more than having shown up to most of your classes and not having killed someone.

Even as higher education proliferates and mediocrizes, 20% of students who graduate from college pursue jobs which do not require college degrees. In fields such as

Henry suggests cutting the number of high school graduates that go on to college in half, and placing the rest in occupational programs. This process would ferret students out of academically marginal institutions and serve them with on-the-job training and vocational schooling, instead of advanced educations that they are plainly not ready for and will never make good use of. The decision as to which schools remain academic and which become vocational can be made simply by requiring all institutions wishing to survive to give a standardized test — Henry proposes the GRE — to all its seniors. Those schools failing to meet the state norms would suffer cutbacks.

Henry argues that such a policy would create a competitive environment among high schools and colleges alike, thereby raising standards all around. In addition the cost of public education would be greatly reduced. It would also redirect the billions of taxpayer dollars now spent on four-year colleges into vocational schools designed to train people to meet market needs.

- Aman Verjee

Aman Verjee and Adam Ross

will debate William Henry's "In Defense of Elitism"
against two professors on live television!

KCSM

Tuesday, 6:30 pm, and Thursday, 10 am

◆ Verjee

continued from page 7

out teenager in his backyard and *still* couldn't manage a kill shot. So Bolshie nose-wipes, beware.

Assorted economic advisers

We know that the Democrats love the poor because they create so many more of them. Of course, what should we expect in terms of economic policy from a President who studied economics in Moscow? Exactly what we've gotten, especially since his team of economic advisers are mostly the Shih Tzus of Ivy League Economics departments returning to the vomit of liberalism: a Democratic presidency.

Here's what Clinton's left-hand man — M.I.T.'s Lester Thurow — had to say in 1989 about the former Soviet Union, a country that built hydroelectric dams in places where there aren't any rivers:

"Can economic command significantly compress and accelerate the growth process? The remarkable performance of the Soviet Union suggests that it can. In 1920 Russia was but a minor figure in the economic councils of the world. Today it is a country whose economic achievements bear comparison with those of the United States."

Go way back and sit down, Lester. And Harvard's John Kenneth Galbraith said to *New Yorker Magazine* in 1984: "The Soviet economy has made great national progress in recent years."

When Galbraith retires from teaching, a job undoubtedly awaits him writing press releases for Tass.

Jimmy Carter

Let's move on to the newest member of President Clinton's cabinet, Jeany Carter. The new Secretary-of-Haitian-Affairs-in-pursuit-of-a-Nobel-Prize co-wrote a book several years ago with his wife Rosalynn called *Everything to Gain*. Actually, according to P.J. O'Rourke, it's more than a book — it's a full-blown home entertainment center. O'Rourke made numerous parlor games out of finding stupid quotes in *ETG*, and so did I. Carter's tome provides the following canon-fodder:

"When I was young and in high school, during WWII, I thought that Hirohito was the cruelest man alive next to Hitler. I blamed the entire Pacific conflict on him. Years later . . . we went to Tokyo and called upon a sweet elderly man, who raised flowers in his hothouse at the palace. . . . This was Emperor Hirohito — as far removed from my conception of him as he possibly could be." (p.131)

Sometimes I wish Jimmy were smarter, so that he could appreciate just how stupid he really is. Do we want this man to keep running our foreign policy? If so, when do we posthumously give Mussolini his Medal of Honor?

And here's Carter's views on health care:

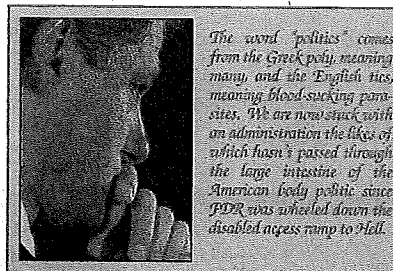
"By strict disciplinary measures possible only in a totalitarian state . . . the Chinese have reduced their infant mortality rate, carved out a broad immunization program, practically eradicated venereal disease, and lowered the annual population growth rate." (p.104)

It seems that Dim Jimmy has been looking to Mao Tse-

Tung for pointers on how to run a country's health care system. And he's undoubtedly been talking out of turn to the First Partners, whose recently squashed Five Year Plan for American Health Care included employer mandates, state-managed health care alliances, price controls, quotas for doctors, universal budgets, and jail terms for private doctors. Hey, Double-Dip, does Tiananmen Square mean anything to you?

Wait; I think I have an explanation for Carter's drivel. On page 59, Rosalynn writes:

"I have worked with the problems of the mentally afflicted for years, ever since I first became aware of their needs while



campaigning for Jimmy for Governor."

So there you have it. And Jimmy returns the compliment on page 21:

"My wife has never been more beautiful than when her face was covered with black smut from scraping burned ceiling joists, streaked with sweat from carrying plywood . . ."

I've seen your wife, Jimbo, and I believe you.

Donna Shalala

When she was chancellor of the University of Wisconsin, Boom Boom championed a speech code that prohibited speech that was insulted people on the basis of "race, sex, religion, color, creed, disability, sexual orientation, national ancestry or age."

I notice that she omitted looks, personality and height from her list of prohibitions: how charitable of her not to tailor the speech code so as to apply to herself.

Strobe Talbott

On Inside Washington in 1990, Talbott opined:

"The difference from the Kremlin's standpoint . . . between a conservative Republican administration and a liberal Democratic administration was not that great. The Soviet Union collapsed and the Cold War ended because of internal contradictions or pressures . . . And even if Jimmy Carter had been re-elected, followed by Walter Mondale, something like what we have now seen probably would have happened."

If Mr. Peanut had been re-elected in 1980, followed by Mondale in 1984, our economy would be in such dire shape today that the Soviet Union would probably be offering us financial aid — although not before President Clinton promised to liberalize our economy.

I'll say this for Strobe: as com-synps go, he gets extra-credit for effort. Even after all the coms are gone, he keeps on sympling. But why listen to me when there are others

who can refute Talbott:

"American policy in the 1980s was a catalyst for the collapse of the Soviet Union."

— Oleg Kalugin, former KGB general

"Programs such as the Strategic Defense Initiative accelerated the decline of the Soviet Union."

— Aleksandr Bessmertnykh, former Soviet Foreign Minister

"There was widespread concern and actual fear of Reagan on the Central Committee. He was the last person they wanted to see in Washington."

— Yevgeny Novikov, served on senior staff of the Communist Party Central Committee

Warren Christopher

He might be alright after some CPR, but I doubt it. According to Daniel Wattenberg of *The American Spectator*, Christopher was being briefed by Colonel Charlie Beckwith on the plan to rescue hostages who were being held by the Iranian Revolutionary Guard in 1980. "Anyone who is holding a hostage," Beckwith said, "we intend to shoot right between the eyes."

According to Beckwith, Christopher's reply was, "Well, would you consider shooting them in the leg, or in the ankle or shoulder?"

Robert Rubin

Beneath contempt in every sense of the phrase. Besides, why attack Stumpy when his haircut is doing it for you?

Al "Air" Gore

Finally, we arrive at Boy Clinton's henchman, Algore. Where to begin? How about page 307 of Al Gore's tree-wasting *Earth in the Balance*: "No goal is more crucial to healing the global environment than stabilizing the human population." Hey Al, how are your four kids?

When combined with other Gore-isms on why governments should proceed with environmental regulations even though scientific evidence for impending global disaster is tenuous and contradictory, this statement must lead us to conclude that it's time to wallpaper Algore's and Tipper's room with padding:

"The insistence on complete certainty about the full details of global warming — the most serious threat we have ever faced — is actually an effort to avoid facing the awful, uncomfortable, truth: that we must act boldly, decisively, comprehensively, and quickly, even before we know every last detail of the crisis."

"If, when the remaining unknowns about the environmental challenge enter the public debate, they are presented as signs that the crisis may not be real after all, it undermines the effort to build a solid base of public support for the difficult actions we must take."

On the basis of this ramblings, it must be considered a top national priority to ensure that Algore never works again. Oops, we already did that; we made him Vice President.

Aman Verjee is a senior studying Public Policy. He is the editor-in-chief of *The Stanford Review*.

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AN INDEPENDENT STUDENT PUBLICATION

October 10, 1994

Stanford settles toxic waste suit out of court

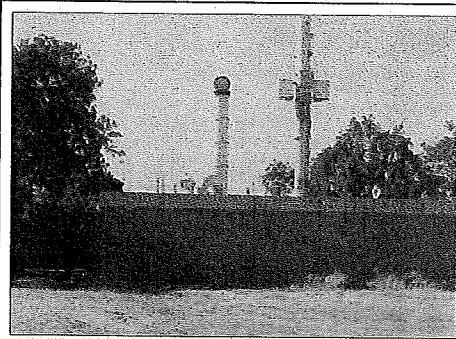
By Eric Jackson
Staff Writer

Stanford University recently came to an out of court settlement with the Department of Toxic Substances Control (DTSC) of the state of California which will cost the University nearly half a million dollars. The suit was regarding alleged violations of California standards in the handling of hazardous waste materials by the University.

Payment of the various fines and costs of new programs will come out of the University's unrestricted general funds. Vice Provost and Dean of Research and Graduate Policy Charles Krueger states that the school saw this coming, and as a result was prepared financially to meet its requirements. Krueger stated in an open letter that the University opted to settle out of court because a court case would have been "very costly both to Stanford and the state." But the bottom line, in the words of Director of University Communications Terry Shepard, is simply that "there is going to be less money to do the University's business."

The California bureau claimed that over 1,600 violations occurred on campus during the past six years, most happening before 1992. Approximately three quarters of the violations were of a technical nature, meaning they consisted of errors in record keeping, labeling, and the reporting of incidents to the DTSC. The University admitted to roughly 40 percent of the allegations, contending that the remainder was based on inaccurate interpretations of state laws. They argue that these laws are applicable to heavy industries, not to research laboratory facilities like those at Stanford.

The University has admitted to four toxic spills, but the cases were of a trivial nature, such as tiny amounts of oil leaking from an outdoor compressor or battery acid leaking from a



Stanford will pay nearly half a million dollars in fines for allegedly mishandling hazardous waste materials.

forklift onto a roadway. In all four incidents, officials acted immediately to clean up the area. None of the incidents in question, according to Shepard, resulted in substantial harm to the environment or any person.

According to Shepard, about 30 percent of the admitted violations were cases of improper labeling. Incidents include writing the chemical formula for a substance instead of its common name, such as putting "CO" on a label instead of "Carbon Monoxide." Another problem which arose was the size of the labels required by state law to be placed on all containers of hazardous materials. The labels, typically designed for industrial size drums, were often bigger than the small containers used in a research facility. In many such cases, the original

label from the manufacturer was left on the container. Although manufacturer's labels generally have more information on them than the state requires, the DTSC considered these incidents to be violations of state law.

Hazardous waste is defined by law as any substance which is toxic, corrosive, or flammable. Shepard thinks this is too broad. "[This category is broad enough to include] fluorescent tubes, flashlight batteries, or the stuff under your kitchen sink." Alan Hirsch, spokesman for the DTSC, denies that the University was unfairly held to industrial standards. "We've done numerous inspections over the past six years," he said, "and we've found a number of problems [in the way Stanford deals with hazardous materials]."

Hirsch cited an incident from last June when traces of mercury were found inside pipes in a Stanford science building, indicating that someone had merely poured the toxic substance down the drain instead of taking the proper steps to dispose of it.

This type of regulation is not unique to Stanford, indicated Lawrence Gibbs, director of Stanford's Department of Environmental Health and Safety. Said Gibbs, the United States Congress directed the Environmental Protection Agency to study the issue back in 1987, and though recommendations for changes were made, no action was ever taken. The bulk of the money Stanford must pay will go to the state as a penalty by the University. The school will reimburse the DTSC \$235,000 for administrative costs. Also, Stanford must contribute \$300,000 to several assorted environmentalist groups which deal with hazardous waste projects.

continued on page 3

No smoking, please

Cigarettes now banned in all campus residences

By Nicole Cooper
Staff Writer

In yet another of a series of steps taken to curb the growth of cigarette smoking, Stanford University has decreed a ban on smoking within all residences. This current ban is an extension of last year's prohibition of smoking in any outdoor area where smoke might waft into a building or covered walkway.

The recent addition to the ban follows a pattern of restrictive smoking regulations by Stanford's administration. In 1985, smoking was banned in all indoor areas on campus with the exceptions of certain offices and eating areas. Smoking was also banned in the Coffee House, much to the dismay of an anonymous smoker who states, "I find the prohibition of smoking in the CoHo quite disgruntling. It has, for years, been a place to sit back, mellow out and enjoy a cigarette with other smokers, and now I feel as though I have been ousted from my niche." Smoking has since been banned in university vehicles, Stanford Stadium, Frost Amphitheater, covered walkways, and



Student smokers light up outside the Coffee House.

any place where smoke might waft into a building or covered walkway and disturb others. The outright smoking prohibition in resident halls is the most recent addition to the smoking ban.

While many students support the newly imposed ban, many smokers on campus are flabbergasted over what they consider a violation of their basic liberties. Sympathizers of smokers feel that smokers are being unjustly punished for making a lifestyle choice that others don't agree with.

continued on page 3

Senate to take over Rec Center

By Curt Hallaway
Staff Writer

On Tuesday night, the ASSU student senate considered and approved two major bills dealing with the creation of an ASSU funded graphics design service and an ASSU takeover of the student recreation center. Both became official by overwhelming voice votes.

Gabriel Lucas, the senate financial manager, authored the bill to create a Stanford Design Group (SDG) to fill the void left by the now defunct Stanford Publication Services, which closed on August 31, 1994. The closing resulted in the elimination of 22 positions. The ASSU already funds a business project called Type and Design, which offers services such as printing business cards, color and high resolution printing, and typesetting and layout for The Stanford Daily. The Stanford Design Group will deal with graphics services for publications, among other things.

The bill to transfer the authority of Tresidder Recreation Center from Stanford Management Company to the ASSU, also authored by Lucas, passed easily through the Senate. The Stanford Management Company, which Dean of Students

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Fall sports on The Farm

The Chief has been wandering the athletic paradise that is Stanford. Was everything he saw rosy?

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All the Troubles in the World

Has P.J. O'Rourke solved forever the problems of famine, overpopulation, plague, and poverty?

Arts & Leisure 7

Students call for Krasner boycott

Political science prof. Stephen Krasner apparently made some enemies last spring when he spoke out about Asian overrepresentation among undergraduates.

News 3

DO YOU KNOW WHO IS TEACHING YOUR CLASS? KRASNER'S ANTI-ASIAN AGENDA

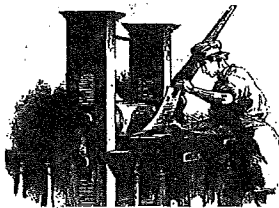
Stephen Krasner, a political science professor at Stanford University, has been accused of being an anti-Asian bigot. This is a statement that is false and blatantly racist.

This statement is false and blatantly racist.

THE ASSU has received a letter from the Asian American Student Union (AASU) asking for a boycott of classes taught by Professor Stephen Krasner. The letter states that Professor Krasner has been accused of being an anti-Asian bigot and that the AASU is asking for a boycott of his classes as a form of protest.

The Stanford Review

AN INDEPENDENT STUDENT PUBLICATION
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VIEWPOINT

An Agenda for the University

- Aman Verjee and Michael Meyer

With the beginning of the year upon us, we find ourselves hoping for successes on all fronts. Here are our recommendations to the University for the coming year:

1. Repeal the Grey Amendment to the Fundamental Standard — more appropriately known as Stanford's "Speech Code." Stanford's primary mission is the relentless and disinterested pursuit of truth. The speech code at Stanford attempts to proscribe speech on the basis of whether the ideas behind the words "stigmatize" certain protected categories of students. This policy effectively serves to shut those ideas out of the realm of debate, and thus is diametrically opposed to the free flow of opinion required in order to wholeheartedly pursue truth.

2. Meritocratize the admissions policy. The Office of Admissions should seek to accept the most qualified students it can find regardless of gender, race, geographical location or legacy status. Stanford should eliminate the box on its application form that asks applicants for their ethnicity, and should confer no special privileges — either in recruitment or in admission — upon students from traditionally "disadvantaged" groups.

Furthermore, Stanford University must welcome continuous debate over its admissions policy. In the interests of encouraging such debate, the Office of Admissions should stop preventing public

access to: the percentage of minority applicants who were accepted; average SAT scores and high-school GPAs for minority enrollees and legacies; and average Letter Grade Indicator of minority students and legacy students.

3. Increase recruiting by the Office of Admissions. With an alarming drop in our yield rate now evident, the University should commit itself to actively recruiting as many top students as possible. This may require increasing the 11-man staff in the Office of Admissions to something approximating Harvard's 40.

4. Revamp CIV. What began as a popular Western Culture requirement designed to provide freshmen with a survey of the culture they live in has become a 15-unit hodge-podge of texts chosen for the color, gender and politics of their authors. Today's CIV has worn out its welcome, but the Western Civ of years past had many merits to it. We propose a two-quarter Western Civ class followed by an elective quarter with reading and writing about a culture of the student's choice.

5. Redefine DRs. Under the current tyranny, students have too many subject areas to define and too few classes that fill the DR in each area.

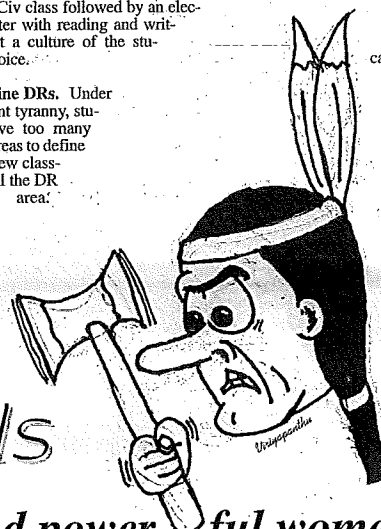
What is the goal of DRs? Simply put, they are designed to insure that students have exposure to all broad areas of academic thought. Break the University down into the basic areas (Science, Humanities, and Social Science) and require two courses from each area. Students will leave Stanford with a broad education and still have the freedom to dictate their education's path. Also, eliminate the politically-charged requirements such as World Cultures and the Gender Requirement.

6. Eliminate Residential Education. Residences are places for students to live, not venues for them to be "programmed" (Res Ed's word, not ours) in politically correct thought.

7. Allow Hoover Fellows to teach Stanford classes. In 1992, *The Economist* rated the Hoover Institution the top think-tank in the world. A number of America's finest scholars, including a slew of Nobel Prize winners, are right here

on campus, yet faculty members who harbor ideological differences with the Hoover Institution have effectively barred most of them teaching Stanford classes. The potential being wasted here is embarrassing.

Smoke Signals



Crime, pork, and power-ful women

It is the best of times. It is the worst of times. On the field, Cardinal athletes have got the NCAAs in the palms of their hands. Unfortunately, those hands tend to be handcuffed occasionally.

Darren Allaway

Stanford basketball's felonious forward should leave the stealing to his backcourt (keep it on the court, guys). I thought this stuff only happened at Cal.

The Stanford Six

Their fifteen minutes of fame (or ten minutes of hate) should have long since passed, but some people still see scarlet letters on their chests... or are those pink triangles?

Class of '98

Tiger Woods and Kristen Folk! He puts like Nicklaus; she dunks (yes, dunks). Is it possible to have two recruits of the decade? Well, is a pig's ass pork? Is Bill Clinton a draft-dodger and an infidel? Yes.

Steve Stenstrom and friends

Once I dared to dream / of striking the Heisman pose. / But now I see that with my team / down the drain that fantasy goes. Just beat Cal.

Women's Sports

Cardinal women continue to crush their competition. Soccer and volleyball don't know defeat, and neither will tennis or swimming. Funny, we were always told that domination is a male syndrome.

Philosophy professor speaks on virtue, pluralism

By May Mak
Staff Writer

One may have both money and power, but life is incomplete without virtue, said Dr. Raymond Dennehy last Tuesday night to an audience of 24 people at the first of four lectures on virtue. Dr. Dennehy, the Motimer Fleishacker Chair of Philosophy at the University of San Francisco spoke on the topic "Moral Virtue in a Pluralistic Society."

Dennehy began by stressing the importance of virtue to people since time immemorial. Quoting Plato's *Republic*, he maintained that while some people are satisfied with the mere appearance of wealth and others with the mere appearance of power, nobody is really satisfied with the mere appearance of good; everyone expects the real thing. Continuing, he focused on establishing the importance of virtue in our lives today.

Dennehy also argued that a moral consensus is a prerequisite to a virtuous society. Moral consensus is recognition of a set of core principles that all agree upon. The problem, according to Dennehy, is getting people to agree on those values. Cultural relativism, he believes, stands in the way of moral consensus because people are fundamentally ethnocentric and will base their values upon their own history. Thus, due to an abundance of cultural obstacles, we have no "God's eye view of reality."

After setting his groundwork and addressing background issues, Dennehy came to the topic in question, first bringing up the inherent conflict in it. With the multitude of viewpoints expressed in a pluralistic society, how can there be virtue as defined by Plato's "finality to principle in the face of challenge?" Citing courage as an example of virtue, he said that the courage to stand firmly by one's beliefs amidst our present social and cultural chaos is difficult.

The professor later answered his own question by stating that such absolutism is not necessarily an enemy to freedom; virtue and pluralism need not conflict. One can disapprove of certain aspects of a person's character, he emphasized, and still respect other qualities in the very same person, and as such co-exist peaceably.

In a pluralistic society, an assumption can also be made that people are rational. Thus they possess a natural potential for virtuosity as well. But enjoying rights without virtue is empty living, he said; this he illustrated using the example of a Chicago housing project for which the police were given

rights by the owners to search the inhabitants of the housing area based on suspicion of drug dealings. The residents had a safer environment, but their basic constitutional rights to freedom and privacy had to be sacrificed first. This decision showed prudence and virtue on the part of the residents in a pluralistic society, where they did have the choice to refuse such random searches.

Following Aristotle's school of thought, the professor went on to argue that virtue is not inherent in people. Virtue is acquired, and one can only obtain it through actions. Nobody drinks with the aim of becoming an alcoholic, he said, but one has to actually take a sip to become one. We must work towards shaping ourselves into our ideals, he concluded, through an awareness of ourselves and our limits.

This week, on October 11th, Dr. Dennehy will discuss "The Much Misunderstood Virtue of Sexual Behavior." The topic of Dr. Dennehy's October 18th lecture is yet to be decided, and his fourth scheduled lecture (October 25) will concern "Personal Virtue and Public Policy: Does the private morality of our public leaders matter?" The series of Dennehy talks are sponsored in part by *The Stanford Review*, Stanford Students for Life, and Students for a Traditional Sexual Ethic.

Citing courage as an example of virtue, Dennehy said that the courage to stand firm to one's beliefs amidst our present social and cultural chaos is difficult.

Krasner boycott demanded

By Paul Viriyapanthu
Senior Staff Writer

Controversy erupted on campus last Wednesday when an unidentified group of students distributed flyers demanding a boycott of Professor Steven Krasner during the first week of classes. The flyer, which denounced Krasner as a racist, was distributed throughout Kresge Auditorium before the first meeting his Political Science 35 class.

The flyer begins with a large heading asking "Do you know who is teaching your class?" and goes on to demand that students boycott classes taught by Krasner on the grounds of his "Anti-Asian Agenda." It also states that "Krasner and his cohorts should stop scapegoating affirmative action for recent 'white underrepresentation' and perceived decline in qualified students. . . . Where were he and others for nearly a century when whites were significantly 'over represented' among Stanford undergraduates. . . . His enthusiasm for fairness is notably absent."

This recent incident is yet another strange twist in a saga that stems from a Committee on Undergraduate Education meeting last year. Last January *The Stanford Review* reported that during the meeting Professor Krasner raised questions to Dean of Admissions James Montoya about admissions policies in an effort to shed new light upon the process and reevaluate the entire procedure. In this meeting Krasner, who is himself Jewish, pointed out that while Christian students at Stanford are half of their representation in the general population, and that Asians and Jews were "way over-represented" among Stanford undergraduates.

Krasner initially made his statements last year after percentage breakdowns of the freshman class were released. According to the figures, Asian-Americans, who represent 3% of the U.S. national population, make up 24% of the Stanford population, while Caucasians, who represent 80.3% of the population, represent only 50% of the Stanford

population. Jews, represent less than 3% of the U.S. population while constituting approximately 10% of the campus population.

These statistics mark a trend in which the percentage of minority students has been increasing since 1979. During the decade between 1983 and 1993, white student enrollment dropped by 17%, while Asian-American enrollment increased by 17%.

During a personal interview, Professor Krasner expressed his great dismay at how his statements have been misinterpreted by the proponents of the boycott. According to Krasner his quotes are taken out of the context of the forum in which they were issued, and branding him as a racist for them is outrageous.

Said Krasner, "[I]t is hard for me to understand how anyone could so utterly misconstrue what I was saying. The statements on the flyer were definitely not what I meant. I meant exactly the opposite of what the flyer was implying. When I was making these statements, I was trying to use irony to make a point. These people [the protesters] have totally blown this out of proportion."

The flyers that have been distributed throughout the campus were not signed and no group has, as of yet, claimed responsibility for their distribution. When asked, Krasner himself stated that he had no idea who was behind them, but would like to meet with the parties involved to discuss and resolve any disputes.

Said Krasner, "I had told students in my class that if anyone had any questions or complaints about my statements, that I would stay around after class to discuss anything, but no one showed up."

A Review investigation of the flyers also failed to discover the identity of the individual[s] involved, and so far the group has remained silent.

When asked as if he had received any other complaints from other groups or individuals upset at his statements, Krasner replied that so far the flyers have been an isolated incident. "So far, no one else has complained and I still haven't received any threats."

◆ ASSU

continued from front page

Michael Jackson delegated management responsibilities of Tresidder Union to as of September 1, 1994, has decided to discontinue its operation of the Recreation Center.

Another issue that was brought up at Tuesday's meeting was Taco Bell at Tresidder Union. Senator Ed Malone asked about the current status of Taco Bell during a report by the Council of Presidents. Anietic Ekanem, one of the presidents, responded to Malone's question by saying that the delay is due to the taking over of Tresidder Union by new managers, the Stanford Management Company. Senator Malone was then referred to Financial Manager Lucas, who told him that the space allocated for Taco Bell did not meet government standards at this time.

The senate also passed an amendment to make it much easier to reach cloture. The amendment allows for a minimum of five senators to speak on any

given bill before a vote is taken to reach cloture. Cloture can then be reached by 2/3 of the voting senators. Senator Stephen Russell proposed an amendment to the amendment that would have restored the old rules which allowed any senator to speak at least once. He felt that the amendment went "against openness" in the senate, and would result in the stifling of opinion. Senator Smeetha Richardson concurred with Russell. She argued that the news rules would serve to shut non-voting senators out of the deliberation process. The Russell Amendment was rejected and the new parliamentary rule was passed unanimously.

In other senate business, Nawwar Kasrawi, the chair of the senate, unilaterally established a committee to study special fees at Stanford. This committee has been established in reaction to certain student organization losing funding in last year's elections. The Senate also approved a leave of absence for Senator Sanford Dickert, who will miss over 1/3 of his term to work for IBM.

◆ Smoking

continued from front page

"Personally, I agree with the ban one-hundred percent," said senior Stewart Richardson sarcastically. "It is in keeping with Stanford's current trends which deny personal freedom and individuality in favor of the shallow 'Pro yo head roller-blading' culture. The smoking ban is accepted even though I think most people consider it overly anal, and simply because so few people smoke, no one is going to make a big deal."

Freshman Simone Agnolucci feels that it is necessary "to reach a compromise between smokers and non-smokers." She suggests that "each dorm should have a smoking lounge so that the smokers don't have to go outside to have a cigarette."

"You shouldn't have to stand out in the rain and smoke," junior Matthew Holloway told the *San Jose Mercury News* last year. "Why can non-smokers control the inside and the outside? I feel pretty persecuted," he continued.

Other students are supportive of the ban and its recent extensions. "It is very difficult for me to have respect for someone who is knowingly and selfishly doing harm to my health," said junior Amanda Breen to the *Stanford Daily* last year. [Smokers] are infringing upon my right to breathe clean air."

Freshman Fred Savage agrees with the ban: "I think it is good because if you smoke in a place where your smoke affects other people, it is unfair to those people." He feels, however, that "if some individuals would like to [enjoy] a good cigar, pipe, or cigarette, that option should be available to them in areas where it does not affect [others.]"

◆ Violations

continued from front page

The three environmentalist groups, as tentatively agreed upon by the University and the state, which will receive contributions are the California Environmental Education Partnership centered in Bakersfield, the Bay Area Green Business Recognition Program, and a southern California organization specializing in pollution prevention. None of these groups deal directly with Stanford University or were impacted by the school's hazardous waste violations.

Another issue over which the state and the University were at odds was that of who should deal with the containment, labeling, and storage of hazardous materials. Stanford currently employs a full time, trained staff to manage these procedures, with funding projected at \$2.1 million this year. The DTSC rejects this method, insisting that the University train the 6,000 people faculty, staff, and students who come into contact or make use of any substances de-

scribed as "hazardous," a program that will cost Stanford \$880,000 this academic year and around \$770,000 per year thereafter.

The method preferred by Stanford, according to Gibbs, is not only cheaper but produces less waste than the one advocated by the DTSC. Gibbs added that specialists who come into contact with all the materials are better able to select the ones which can be reused or recycled, whereas generalists are more likely to lack that ability.

Hirst disagrees. "Stanford consistently gave its employees inadequate training," said Hirsch. "It is not paying the largest fine for a university in the history of the state because of improper labeling [only]." It is not clear whether Stanford been singled out unfairly as an example to other schools in California, but the DTSC does have the authority to escalate penalties against one institution in order to set an example for other institutions. "Our enforcement actions were based strictly on violations that we found there," said Hirsch. "We levy penalties that we feel are appropriate based on violations."

The Stanford Review

VOLUME XIII, NUMBER II
OCTOBER 10, 1994

Founded MCMLXXXVII

Norm Book
Peter Thiel



EDITORIAL

Editorials represent the opinions of the editorial board on a topic relevant to the Stanford community. The board consists of the editor-in-chief, opinions editors, and three editorial writers, with additional input from other members of *The Stanford Review*.

Hate is No Crime

The vandalism last May of the 'Gay Liberation' statues on campus has provoked much debate. Unfortunately, however, the arguments have mostly been demonstrative of the unreflective stupidity that has come to surround matters of free speech on college campuses in recent years. Fallacious arguments have fallen from both sides of the political spectrum. Some conservatives have argued that the vandalism of the statue is defensible because the statue represents a distasteful political statement — to wit, acceptance of homosexual behavior.

However, the political significance of the 'Gay Liberation' statues is irrelevant: vandalism is the dispositive issue. Willful damage to property is at all times and in all circumstances wrong, and the students who damaged the statues should be condemned and made to pay for the restoration. That the art may be objectionable to some students is entirely extraneous to the question. Nazi artwork advocating the slaughter of Jews and gypsies would be repulsive to the vast majority of Stanford students, but were the University to purchase and display such art in a prominent place, we would confine our censure to verbal and written disapprobation, and nothing more.

As for liberals, they too have strayed from the real issue. Instead of treating the vandalism of the 'Gay Liberation' sculptures as a matter of property damage, the High Priests of political correctness — the editorial writers of *The Stanford Daily* — have spouted gibberish like:

"When seven varsity athletes were arrested for allegedly vandalizing the statues on the west side of campus, they denied any anti-gay motivation for the alleged vandalism. Whether or not prejudice was behind their actions remains to be seen — but their targeting of the statues gives the appearance of a hate crime, and even an appearance of that kind cannot be tolerated." (May 19, 1994)

In other words, the law should not only punish the act of vandalism, but should presume the defendants guilty of hate without even a chance of establishing innocence. The *Daily* and others have also supported changing California law to treat "hate-motivated" vandalism of public property more severely than vandalism in general.

We disagree. Hate-crime statutes are incompatible with our constitutionally protected right to hold whatever private opinions we wish. A state should enforce laws against property damage by penalizing all actions equally and fairly. If a court proposes a punishment for a certain action, and then enhances the penalty because of the privately held values of the actor, then it is punishing the opinions as surely as it is the actions.

A state should enquire as to the thoughts of the defendants only insofar as is necessary to determine criminal intent (*mens rea*). In other words, premeditated murder may justly be punished more severely than involuntary manslaughter. But personal belief falls well out of the purview of *mens rea*: The latter connotes purpose of action, while the former is merely an opinion. To adduce the one as justification for punishing the other constitutes an impermissible leap in logic that strikes at the heart of one of America's most cherished principles: nonverbal expressive activity can be punished for the actions it entails, but not because of the ideas it expresses.

What is Racism?

Stephen Krasner is the latest to bear the ugly brand of "racist." Last winter, we reported that Professor Krasner stated that Christian whites are an underrepresented group at Stanford, vis-a-vis their representation in the American population at large. Now a group of unidentified students are posting flyers all over Kresge Auditorium calling for students to boycott Professor Krasner's Political Science 35 class, claiming that Krasner's remarks were racist and that he has an anti-Asian agenda.

Although some of those on the left have broadly defined racism so as to include Krasner's remarks, we would like to tell you what the dictionary says about racism. Racism is "an excessive and irrational belief in or advocacy of the superiority of a given group, people, or nation, on racial grounds alone." A second definition is holding the "doctrine of the preponderant influence of actual or assumed racial factors in the origin, development, and rank of various human societies."

Now, was Prof. Krasner advocating the superiority of one group over another on the basis of race alone? No. Did he assert that race actually determines the "origin, development, and rank" of people? No. So his detractors are either illiterate (possible) or dishonest (probable).

Too many people today think that they can somehow refute an opposing argument without addressing its merits or shortcomings by simply branding it as racist, sexist, or homophobic. While no one wants to be called a racist, it is important that individuals with dissenting opinions hold not back what is on their minds. We encourage Professor Krasner to continue to shed light on the dark corners of political correctness, because all of you out there can be damned sure that we at the *Review* will.



Gloria Hom

Republican Party Chair
for Santa Clara County

SPEAKING IN OKADA LOUNGE

Tuesday, October 11th
6:00 pm

Refreshments will be served.

CHASTITY: THE MUCH MISUNDERSTOOD VIRTUE OF SEXUAL BEHAVIOR

Dr. Raymond Dennehy

Mortimer Fleishhacker Chair of Philosophy
University of San Francisco

Dr. Dennehy, one of the founders of the Ignatius Institute, will be discussing the contemporary importance of virtue in America today, as well as how we can lead virtuous lives in modern society. He will be using William Bennett's best-selling *Book of Virtues* to aid his presentation.

TUESDAY, OCTOBER 11TH

TRESIDDER: CYPRESS ROOM SOUTH

7:00 - 8:30 PM

Sponsored in part by Stanford Students for Life
and Students for a Traditional Sexual Ethic

COMMENTARY

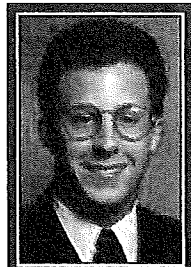
If You Don't Like It, Steal It

Colleges and universities pride themselves on being institutions of free and open discourse, where the open marketplace of ideas is paramount to a higher education. Unfortunately, a rash of school newspaper thefts across the country — many of which have been met with little or no response from that school's administration — has called into question our universities' commitment to this noble mission.

Should institutions of higher learning protect all forms of free speech, and proudly declare themselves guarantors of the First Amendment? Or do they have an obligation to restrict certain forms of dialogue which may be deemed offensive by some? These are the questions that top universities are trying to answer in the wake of tensions created by controversial newspaper articles.

Perhaps the most publicized example of such tensions took place recently at the University of Pennsylvania. At issue was an opinion column, written by senior Gregory Pavlik, which appeared in the April 15, 1993, issue of the *Daily Pennsylvanian*. Pavlik harshly criticized preferential treatment for blacks, both

on campus and throughout the country, as well as documented what he believed to be the hypocrisy of extremist blacks. "[T]he wave of anti-white fervor has swept more than just college campuses," he wrote. "The federal government now requires all employers to systematically discriminate against white applicants for hiring and promotion."



Adam Ross

Pavlik continued, "[n]ationally, black militants rail against white bigotry and the 'United Snakes of AmeriKKKa' while praising hate mongers like Malcolm X, an ex-pimp who conspired with the Ku Klux Klan."

A regular columnist for the *Daily Pennsylvanian*, Pavlik was notorious at Penn for his conservative, and often controversial, columns on race. This time, though, black students struck back.

On the morning of April 15, 1993, several black students confiscated nearly all 14,200 copies of the *Daily Pennsylvanian*. The students, who posted fliers calling themselves "The Black Community," justified the theft as a protest of "the blatant and voluntary perpetuation of institutional racism against the black

community by the D.P. [Daily Pennsylvanian], the administration, and/or any independent entities affiliated with the university," according to the fliers.

One black student leader, Kaplan Mo-bray, echoed the sentiments of "The Black Community." Mo-bray approved of the newspaper theft, claiming that the action brought attention to a larger, more pervasive problem at Penn and across the country: racism. "The internal substance of the actions has produced an immediate impact," he intoned, "one that will carry Penn into year 2000."

A number of Penn students and faculty joined "The Black Community" to support the stealing of the campus publication. In all, 202 Penn blacks wrote a letter to the *Daily Pennsylvanian* attempting to explain their actions. The letter blasted Penn's newspaper as an ineffective means of discourse. "Instead of confronting their fears by exposing themselves to African-Americans, white students harbor ignorant feelings against us," the letter stated.

"It galls me to no end that José Burciaga would not have to take responsibility for his actions," said Aman Verjee.

"They read your gospel and are persuaded by the biased opinions of those such as Pavlik's."

For its part, the administration went to great lengths not to offend either side. Interim president Claire Fagin reached out to minority groups, in an effort to placate their anger. "By listening to students and placing the situation in perspective, I have come to see things more as issues and trends than as problems," she confessed to *The Philadelphia Inquirer*. After all, Fagin claimed, Penn today "is a hell of a lot better than [it was] in '44 or '64 or '74."

Without criticizing the incident itself, Fagin affirmed the University's commitment to free speech, at least in the abstract, and the open marketplace of ideas. "[T]he confiscation of any publication on campus is now, has been, and will remain unacceptable," she stated.

Yet Fagin took no disciplinary measures against the thieves. This inaction, according to *Daily Pennsylvanian* editor Jordana Horn, amounted to no less than an endorsement of theft. Horn still harbors a "deep seated feeling of betrayal" over the incident. "It really disturbs me that the whole idea of crime and punishment should be lost in the shuffle of 'making things better,'" she stated.

Horn further argued that the censorship of ideas—in any way, shape, or form—is antithetical to all that a higher learning institution should stand for. "I feel like [students] cannot learn when something that is blatantly wrong goes unpunished," she said. "To stifle freedom of expression on a college campus is

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Fear of Following

I used to think basketball was the all-time best recreation. With its demands for intelligence, teamwork and skill, hours of the most grueling exertion are nothing but fun. Incredibly, I have found a new recreation that blows basketball away: ballroom dancing.

I'm here to sell you. I wish I had started touch-dancing years ago. It takes all the intelligence and skill of basketball, a good fraction of the exertion, and even more teamwork, of a most wonderful intimate variety with the opposite sex. Guys... haven't we all said to ourselves that the one thing missing from sports is that, at the level we are capable of playing them, we have so little opportunity to share them with that half of humanity with which we most want to share intimate fun?

Some of the most fun I ever had playing basketball was playing pickup ball in Maples with the women's championship team, and it wasn't just the consistently high level of play. Men love women and women love men. There is a fun just to smiling at each other, never mind connecting on a pick and roll, that is in addition to what we feel for members of the same sex.

The competitive nature of basketball, fighting for position, keeps the vigorous physical contact from being intimate, no matter the sex of the participants. But when there is that sexual "something extra" the door is open to other activities in which cooperation as opposed to competition does partake of intimacy.

Social dance is necessarily intimate but it is not necessarily sexual. That is what makes it such a great social resource. There does not need to be attraction. You can be glad to do it with almost any partner who has any art. Oh but when she is attractive, and attracted, and you are tuning into each other, and she is watching your face for direction, then you have her exactly where you want her: living completely in the moment, no anticipation whatsoever, only reacting

like a beautiful violin to a beautifully played song.

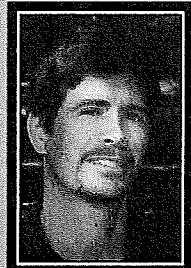
The male and female roles in ballroom dancing are totally different but, like male and female bodies, the differences enable us to join in a miraculous togetherness that wouldn't be possible otherwise. We are inundated these days by anti-feminine "feminists" who denounce any hetero- in heterosexual. Because ballroom dance depends on such presumptively suspect roles as leading and following, and because "feminist" condemnations of any leading male role are so pervasive, an appeal for ballroom dancing must expose the truth here. In terms of moral theory, the anti-feminine error is to treat equality as an end, rather than as a means whose appropriate role is determined by the pursuit of ends. When treated as an end—as something to care about for its own sake—a concern for equality is equivalent to envy, which is perhaps the clearest example of what John Stuart Mill called a "lower end", meaning an end that people will reject as they make progress in discovering what there is to value in the world. The proper moral criterion is not equality but mutuality—valuing whatever there is to value in any person or thing.

"Equalitarian brain damage" as I call it is why feminists are so uncomfortable about heterosexual sex. Sex is not about equality. It is about mutuality—about loving everything there is to love about another person, especially when doing so flies in the face of any sort of quid pro quo conditions. We welcome chances to demonstrate that we do not hold the truths we see hostage to any interest.

Feminists see masterfulness in a man and loving female response to that masterfulness as oppression. They hate it immediately because it is oblivious to equality and this keeps them from seeing and valuing what it really is: an interaction of love and trust that is enabled by the playing of different roles. (I always feel an urge to put quotes around the word "feminist" to indicate the ersatz variety, because obviously there is a tenable concept of feminism, but unfortunately, it is the mainstream of the feminist movement that is ersatz.)

Let's take a look at the men's and women's roles in social dance to see why they are different and why men lead. First, people cannot read each other's

continued on back page



Alec Rawls

FOR THE RECORD

✓ Clinton lost a corrupt, Democratic yes-man this week when Agriculture Secretary Mike Espy turned in his resignation. Perhaps it's karma; after all, Clinton gained a corrupt, Democratic yes-man in Haiti the week before.

✓ A *Woman's Guide to Stanford* came out last week, and tells the Stanford everywoman that she is in an "abusive relationship" if her man has done any of the following: "ignored your feelings," been "jealous," "insisted you dress the way he... wants," or "controlled all of the family income." Apparently a man should be wary of complimenting a date's clothes out of hand for fear of creating the impression that he prefers a certain fashion. And getting a job while your wife stays at home is right out of the question. Ward Cleaver, shame on you.

✓ The poet laureate of Stanford's leftist chic, José Burciaga, has a piece in the latest issue of *Expresión*, the Chicano journal, where he suggests that the Republicans adopt a condom as their official emblem. Why? Because a condom "stands for inflation, halts production, protects a bunch of pricks... and gives one a false sense of security while being screwed." This saw is as old as the story of the chicken and the road; however, until now, we have only ever heard it applied to Democrats. After all, the GOP sports a better record than the Dems on inflation, on economic growth, and on pointing out that condoms provide a "false sense of security," not "safe sex." We hope that Mr. Burciaga takes care to plagiarize something more appropriate the next time.

✓ Last week, the Asian-American Studies Committee meeting began with Political Science Professor Daniel Okimoto stating the two central questions the committee must address: "One, should we have an Asian-American Studies program? Two, what form should it take?" We offer an alternative set of questions: "One, should we have an Asian-American Studies program? Two, to which more deserving department should we divert any proposed funding?" Like Professor Okimoto, we seem to have answered our first question.

COMMENTARY

Lo! A Pestilence Stalks Us

A danger lurks on campus... insidious and elusive, yet always near. We cannot easily discern this specter, but each of us carries a little piece of it around with us wherever we go, as innocently as cold germs on our hands. Unlike recognized biological contaminants, however, this danger spreads without suffering the stigma that its enormity justifies; indeed, most of us brandish our strips of this specter's sheet as proudly and righteously as any national flag.

But what IS this that is so inimical to our community, to our dream of peaceful, liberated, and self-fulfilling coexistence down on the Farm? Let us acknowledge it for what it is, denounce it, extirpate it! But first, let us brace ourselves, for surely we are not prepared to see this vaunted wretch in its true light — we will want to turn away, but, in matters of community, resolute we must be. Very well, then. Topple the pedestal, lift the curtain, turn the brilliant light of realization on the idol of Sensitivity!

Yes, fearless readers, this is the phantom that threatens us and our community. More than grapes, more than vandalism, more even than the ever feared budget cuts, Sensitivity threatens to corrupt our scholastic experience and tear our student community asunder. Indeed, it has already begun its horrendous task. Anyone who still doubts (and there will be many — false consciousness, as any good Marxist will asseverate, is difficult to abandon) needs only consider the last 6 months in the life of Stanford.

Consider a recent example of Sensitivity casting its evil spell: a reactionary call by a [wisely!] unidentified student for us to boycott Political Science Professor Stephen Krasner's class in response to his allegedly "anti-Asian agenda." Krasner revealed his patently anti-Asian agenda in a shocking observation last spring that Jews and Asians are,

relative to the U.S. generally, overrepresented in the student body of Stanford!

A member of our community read his comments to this effect and saw an inflammatory expression of racism, a prejudice that is simply and objectively not manifest in Krasner's comments. Despite the semantic argument, which is made elsewhere, Krasner, himself, is Jewish, and persons of Asian descent, who constitute around a quarter of the Stanford student body, certainly do not constitute nearly such a proportion of U.S. residents. So what, most of us certainly ask, is the problem? The problem is that this student, fancying himself more perspicacious than the rest of us, churned out his vacuous flyers, disrupted

Krasner's class, and tried to get all of us in a dither, merely because his head was hidden in the hoary mists of Sensitivity: he read of Krasner's observation that Asians are overrepresented, connected this with the backlash against the stereotypically "nerdy" Asian (of which he is apparently acutely sensitive), and cried "foul" in the loudest shriek he could muster. The result of his Sensitivity, finely tuned by years of multiculturalism and jealous racial identification? Embarrassment and wasted paper (white laser-printer bond — the ecologically worst kind), but Sensitivity prevails again.

Another instance of Sensitivity working its divisive magic: a group of pathetically intoxicated athletes vandalize a statue celebrating "gay pride." No one is certain why they did it; we can bet that they are not going to hold a news conference within 200 miles of here to declare that they were motivated by their deep-seated hatred of homosexuals and thus put all our doubts to rest. But the gay members of our community feel safe here (and well they should) and thus liberated to discuss their Sensitivity to the vandalism of an artwork that represents some of their closely held values (thank goodness we still have such a community). We hear of sensations of personal violation and outrage and of suspicions that male athletes and fraternity

members are bigots whose socialization patterns induce this sort of terrorism. Perhaps all of this is true, but the castigation of athletes and frat boys for flagrantly anti-homosexual prejudices is predicated on a motivation for this vandalism that has not been articulated. Results? The vandals might face hate-crime charges, fraternity members — regardless of their individually demonstrated prejudices (or, for that matter, sexual orientation) — face mandatory Sensitivity training, the Lesbian, Gay, and Bisexual Community Center receives \$10,000 from funds the university ostensibly does not have, and Sensitivity insinuates itself a little further into the fissures of our community.

Another headline-grabbing example of Sensitivity's endemic, inimical allure: members of a Flicks audience boo a showing of the caustic, hyper-politicized documentary film "No Grapes". Contemporaneously, the university administration considers accepting Cecilia Burciaga's proposal that her position be terminated in the budget-cutting process. Students, most of them Chicano, decry the audience's rude outbursts at the "No Grapes" screening as racial insensitivity (it should here be noted, not necessarily as an apology, that the Flicks audience often boos at what appears on the screen arbitrarily and, apparently, out of sheer rowdiness or boredom) and the administration's move to terminate Burciaga's position as indicative of a systemic insensitivity in our community toward Chicano faculty, staff, and students (she was the only high-ranking Chicano administrator). Results: rivers of tears, epithets, hunger strikes, negative press for the university, and the formation of presidential committees to examine the "systemic insensitivity" toward Chicanos at Stanford and the potential, for a Stanford-East Palo Alto

community outreach center. Oh, and, once again, Sensitivity can claim responsibility for extortion, rampant dissatisfaction, and a nice week of hand-wringing.

These sweet victories of Sensitivity reveal one thing: if we fancy ourselves oppressed (regardless of how oppressed, ignored, or downtrodden we objectively are) we will see the world, however unrealistic-

ly, as overflowing with instances that support our perception. But we must recognize that the real issue is one framed in signal detection theory: we can put a priority either on calling "hits" or on keeping silent during "misses," but there is always noise in the equation. That is, we can place a premium on catching every instance of our interests being undervalued only at the cost of increasing the risk that we will call "foul" when, indeed, no foul has occurred (the golden path of Sensitivity), or, alternatively, we can put an emphasis on being certain (which is really an emphasis on not repelling those whom we wrongly accuse of insensitivity to our plight) by being willing to turn the other cheek in instances in which we reasonably suspect we were violated.

As members of a close-knit and extraordinarily diverse community we cannot afford to participate in the heresy of Sensitivity; it divides, it discomfits, and it almost never gets us what we really want: freedom from the misunderstanding, prejudice, and strife that inhere in each of us appreciating our own problems more than anyone else possibly could. So, intrepid hunters of the false idol, search no longer. Turn your eyes from the enticing chimera of Sensitivity toward a less egotistical outlook of mutual acceptance and support and discover a community that Sensitivity conspires to destroy.

Ryan Bounds is a senior studying psychology. He is the opinions editor of *The Stanford Review*.

◆ Ross

continued from page 5

ridiculous.... The hypocrisy [of administrators] is readily evident."

The University of Pennsylvania is not alone in experiencing newspaper thefts. At Stanford, a Resident Fellow in the Mexican theme dormitory recently blocked three members of *The Stanford Review* from entering his dorm and distributing copies of their newspaper. "Get that trash out of here!" Resident Fellow José Burciaga yelled at the students. He then grabbed three stacks of papers, throwing them away in a trash bin outside the dorm. After the students informed Burciaga that the University did not prohibit them from distributing newspapers in the dorm, he became even more angry. "Get the hell out of here!" he shouted repeatedly, before eventually calling the police.

The *Stanford Review* did not take Burciaga's verbal assault lightly. In response, they filed a formal complaint with the University, in which *The Review* demanded "that Mr. Burciaga apologize [to] the three students whom he confronted physically and violently, and submit a formal, written apology to the editorial board of *The Stanford Review*...[and] that Mr. Burciaga participate in a seminar to teach him sensitivity to the principles entrenched in the First Amendment, and to the principles of free enquiry and expression requisite of any university."

Ann Porteus, acting co-director of residential education, considered the event unfortunate: "The incident...was regrettable in many ways," she wrote in her response to *The*

Review's complaint. "[C]ensorship based on content violates our commitment to open discussion of all ideas, even difficult or unpleasant ones." While Porteus apologized for José Burciaga's behavior, she couldn't resist criticizing the *Review*. "[A]lthough [*The Stanford Review*] had the right to distribute the paper, I think it was unkind and in poor judgment that you did so," she contended.

Porteus concluded that she did not wish to punish Burciaga, or even ask him to apologize. "This inaction drew the ire of current *Stanford Review* editor Aman Verjee. "It galls me to no end that José Burciaga would not have to take responsibility for his actions," Verjee said. "Here is a man to whom the University pays a great deal of money and/or benefits to foster an atmosphere of openness and tolerance. Yet his actions in this incident could not have been more to the contrary."

Newspaper thefts have taken place on at least 36 other college campuses over the past academic year, according to Mark Goodman, executive director of the Student Press Law Center. These schools include: John Hopkins University, East Texas State University, University of Maryland, University of Nebraska, West Valley College, Ohio State University, Tufts University, Pittsburgh State University, Briar Cliff College, El Camino College, Stevens Institute of Technology, SUNY-Old Westbury, Brandeis University, University of California at San Diego, University of Maryland-Baltimore County, Webster University, Northeastern State University, University of Detroit Mercy, East Tennessee State University, Marshall University, Fort Lewis College, North Carolina State University, St. Bonaventure College, Long Island University, University

of New Orleans, Franklin & Marshall College, University of Louisville, University of Michigan at Ann Arbor, University of Northern Colorado, SUNY-Brockport, Midland Lutheran College, Northwestern University, University of Alabama at Birmingham, California State University Fullerton, California State University Northridge, and Los Medanos College.

Most journalism and free speech experts agree: Newspaper thievery on college campuses is unfortunate for everyone involved. As Washington Times education reporter Carol Innerst notes, "Stealing is not right, and whoever steals something should be punished." Jeff Muir, Program Officer for the Madison Center, concurs: "The appropriate way to deal with [stealing newspapers] is to press charges for theft."

Another issue is freedom of speech. Because the aforementioned thefts were done explicitly to prevent the distribution of a newspaper, they are tantamount to censorship of expression. And while universities publicly champion free speech, they very seldom punish perpetrators of this thievery. This sad reality leads many observers to the same conclusion: that until administrators punish these blatant assaults on free speech and open discourse, they are tacitly endorsing the very theft and censorship that are — by any and all accounts — antithetical to a higher education.

Adam Ross is a senior studying economics and political science. He is a former editor-in-chief of *The Stanford Review*. This article will appear in a future issue of *Campus*, America's Student Newspaper.

ARTS & LEISURE

The World's Troubles: Humor Conquers All

When the author of two #1 best-selling books decides to travel all over the world in order to tackle the globe's "fashionable worries" — namely overpopulation, famine, ecological disaster, ethnic hatred, plague and poverty — then the product may rightly be called a media event.

When the object of the author's attack consists of men like Al Gore, a father of four kids who moans about overpopulation, then the media event is upgraded to a potential bestseller.

The author is P.J. O'Rourke, a distinguished writer whose *Parliament of Whores* and *Give War a Chance* spent months atop the *New York Times* bestseller list. O'Rourke's derisive, hilarious-yet-serious style has made him the best and most popular writer at *The American Spectator*, a widely circulated monthly magazine of libertarian-conservative leanings.

The potential bestseller is his latest book, *All the Troubles in the World: The Lighter Side of Overpopulation, Famine, Ecological Disaster, Ethnic Hatred, Plague and Poverty*. *Troubles* contains some of O'Rourke's better work, and addresses issues that today's Chicken Little activists are most vocal — and least sensible — about. The best chapters deal with the thorny topic of the environment, an issue that rarely gets treated from a libertarian-conservative perspective but which provides a masterscribe like O'Rourke with what fighter pilots call "a target-rich environment."

In my opinion, however, *Troubles* isn't his greatest book: for those fans of O'Rourke's work in either the *Spectator* or *Rolling Stone*, but who have yet to read one of his books, I recommend beginning with *Parliament of Whores*. Published in 1991 and available at the Bookstore, *Parliament of Whores* remains O'Rourke's best effort. It deals with issues that aren't as en vogue among today's leftist chic as those broached by *All the Troubles in the World*, but it more than compensates by being the funniest and most insightful book I have seen in years.

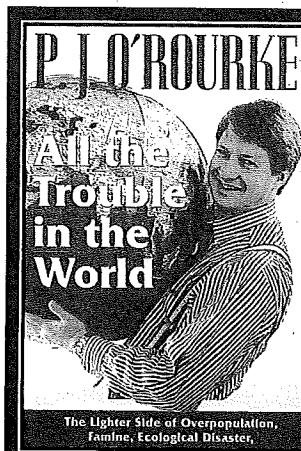
Once you've read *Parliament of Whores*, *Troubles* is as good a place as any to continue with O'Rourke's body of work. Here is a rundown of the issues he attacks and some of the conclusions he draws:

Overpopulation

I've always been amazed that idiot envirobot Al Gore still writes drivel like: "No goal is more crucial to healing the global environment than stabilizing the human population" (*Earth in the Balance*, p.308), after fathering four kids. It should have occurred to Casanova by now that an

abundance of people isn't a problem as long as the country's economy is left free to create jobs. After all, if overpopulation were such a problem, then why not protest Daytona Beach in the spring, Coney Island during the summer, or Ted Kennedy's hot-tub at night?

Instead of a constructive dialectic, Gore's tree-wasting book contains no new insights, no new research, and merely parrots the concerns of the envirochic in the simple language befitting a man who holds the office of Vice President of the United States of America.



O'Rourke takes a critical look at the theories which posit that overpopulation necessarily leads to massive starvation and human misery. He points out that impoverished developing countries like Bangladesh are no more crowded than successful NICs such as Hong Kong, Singapore or the state of New York. If overcrowding is a problem, then Bangladesh with its 2,250 people per square mile is in better shape than our own San Francisco, which has a population density of 15,000 per square mile. So why isn't Sting doing benefits for suburban Californians?

Famine

Thomas Malthus observed that populations grow geometrically while the supply of food in the world grows arithmetically. Hence, he predicted global starvation. That was 170 years ago, and the world still produces more food than it can eat, but Malthus' work remains exasperatingly influential.

Famines exist, of course, but not because there isn't enough to eat: they exist because some people don't have enough to eat. O'Rourke argues that the problem of food distribution is primarily political: governments of starving Third World countries actually encourage famine either by suppressing entrepreneurship with socialist policies or else by deliberately denying food to political enemies.

O'Rourke also discredits Stanford's own Paul Erlich. In 1968's *The Population Bomb*, Ehrlich predicted that by 1985 the world's death rate would skyrocket, the global population would shrink to 2 billion, and the U.S. would ration its own food supplies and stop giving food aid to a Third World consumed in "food riots." Of course, Ehrlich was totally, unequivocally, mind-bogglingly wrong. The only food riots today are taking place in Jack-in-the-Box establishments on the West coast; life expectancy in developing countries has increased dramatically from 44 years in 1960 to 62 today.

Environment

O'Rourke reports to the Earth Summit in Rio and surveys the ruin that has come to our scientific community. Just a few years ago, environmentalists were predicting ecological disaster as a result of an ice age.

Now, the latest eco-disaster is global warming. Remarkably, the solutions being proposed today are the exact same ones proposed in the 1970s: more government, less industrialization, fewer man-made chemicals, etc.

One example of the potential damage that eco-hysteria has caused is Sri Lanka. In 1948, there were 2.8 million cases of malaria there. Then DDT spraying started, and by 1963 there were only 17 cases of malaria. DDT was banned in 1964, and by 1968 Sri Lanka had over a million cases of malaria again. Even today, more than 50,000 peo-

"Lowly, semicomical diarrhea kills 2,866,000 people a year, 2,474,000 of them children under the age of five. That's ten times the number of people that die of AIDS. But no one is wearing a brown ribbon on his tuxedo lapel at the Academy Awards or marching up the Mall in Washington carrying a sign reading 'DIARRHEA — IT CAN BE CONTAINED.'"

ple die every year in Sri Lanka from malaria. DDT has served to eradicate mosquito-borne diseases (and the lives it has saved far outnumber those that it proves a threat to), yet environmentalists at the Earth Summit effectively banned it.

O'Rourke points out that there is confusing and contradictory evidence on every major ecological issue. For instance, while the ozone layer has been reduced in the last hundred years or so, there has been no evidence of increased UV radiation on the ground. Furthermore, if 10 and 20 percent increases in UV radiation were dangerous, then there should be no life in Florida.

Plague

O'Rourke tackles the politics of diseases in his own inimitable style. One of his most salient points concerns AIDS:

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There is a more serious issue that O'Rourke broaches as well: glamorous diseases that disproportionately affect visible Hollywood types and politically popular classes of people receive not only the attentions of the press, but scads of scarce government funding as well.

While AIDS research sops up billions of dollars every year, the 2,866,000 worldwide cases of diarrhea could be substantially eradicated with only \$500,000 a year. And no, that's not a misprint: I said *five hundred thousand dollars a year*. Two packets of Oral Rehydration Salts cost about twenty cents, and if mixed with a liter of clean water can prevent death from diarrhea and cholera. So twenty cents plus whatever it costs the Evian company to deliver, saves one life; what it costs to run a thirty-second "Save Our Planet" Superbowl spot could stop 2,474,000 children from dying.

Of course, children can't vote, and the checks they give to lobbyists keep bouncing, and Hollywood hasn't made a Bruce Springsteen-scored film about potty habits in the Third World, so they don't get any money. Ultimately, that is O'Rourke's point. Indeed, in his own hilarious way, he provides one of the most serious and insightful looks at the way these problems are handled.

- Aman Verjee

Points of Blight

"[Colin Powell] is exalted as a symbol, much as O.J. Simpson was, because he isn't threatening to whites. He's seen [that way] because he's never been a combatant in America's race wars. But he hasn't transcended race. No black can transcend race. That's ridiculous."

Reverend Jesse Jackson

"The real problem is that the administration does not care about ethnic centers or communities of color. If they did, the centers would not be so poorly funded."

Johnathon Briggs

"La propriete c'est le vol. (Property is theft.)"

Pierre-Joseph Proudhon

"From each according to his abilities, and to each according to his needs."

Karl Marx

◆ Rawls

continued from page 5

minds. If a couple is to do an unchoreographed dance in close embrace without tripping over each other's feet, one must lead and one must follow. Second, it is a minor feat to learn either one of these roles, so each person typically learns only one. Third, people coordinate in choosing roles by sex because the first desire of almost all ballroom dancers is to be able to share this intimate activity with members of the opposite sex.

Given this division of roles by sex, it makes sense for men to lead. Part of it is physical. Size, strength and assertiveness are all advantageous for leading. I am a fairly commonplace six-foot-one but half of the women I dance with could not lead me through turns. For many petite women, leading would simply be out of the question. Emotionally, I think many men and women would enjoy either role. If a woman can play, I would love to take my turn as the violin. But then you have to factor in our innate sexualities, too. There is every reason to believe that, as with most other species, human females have a biological attraction to dominant males, and certainly it is safe (i.e. politically correct)

to note that human males have a strong drive to achieve dominance. If we have to divide up roles, it is not going to be against the grain of these innate drives.

Lastly, getting down to brass tacks, when it comes to social dance, women certainly seem to like being the ones who get to react instead of think ahead, and as far as I can tell, they aren't about to relinquish this perquisite, never mind undertake a tremendous amount of learning in order to do so. That may be the fundamental reason men lead: because leading takes a lot more learning than following does, and it is innately in men to make great efforts in reaching out to meet and woo women, while it is innately in women to let the men be the ones who put out the effort. I am not saying women are any less interested, but biology urges women to hold out for evidence of commitment while it urges men to make the necessary efforts. If we waited for the women to lead there would be no such thing as social dance.

So guys, it's really up to you. Girls love dancing. Why shouldn't they? It is total fun and you have to do most of the work. (Funny what some people will call oppression, n'est ce pas?) But what could be better for you? All you have to do is a little work - less than taking a language class - and practically from the get go you can be in demand, getting a nice jump on the other fellows. In nine months you can be a serious intermediate. What are you waiting for?

Ladies, social dancing is every bit as challenging for you. The difference is that, beyond the basic rhythms, techniques and protocols of each dance, you don't need to memorize. You need familiarity, which is very different, and you need to learn how to receive and respond to leads. Everyone needs classes, but, while the man's homework is to drill his steps until he knows them well enough to concentrate on leading, a woman can't practice following by herself, so her homework is just to go dancing.

Following is in many ways more difficult than leading. Men have more to learn, and we have to think ahead, but we also have the chance to think ahead, whereas women are doing often more complex steps entirely by reaction. It is a whole different skill. The best woman dancer I know, who would blow your mind with what she can follow, insists that she does not know any figures. Not her job.

The fun of the girl's part is, whether it is a Latin dance or a smooth dance or a rocking dance, you ladies never know what is coming next. Perpetual novelty. It's so pretty. What a miraculous union of such different beautiful roles into one shared experience. It is one of the great achievements of mankind.

All Stanford is lacking is a critical mass of ballroom dancers - enough to sustain a weekly dance. My teacher Steve Rebello says Berkeley gets a couple hundred students together every Wednesday night. Can we let ourselves be outdone by Weenies? There are great resources in this area. Robin Rebello teaches quarterly classes at Roble, and the Cubberly Pavilion at 4000 Middlefield road (one light north of San Antonio) hosts a lesson from 8-9 and a dance from 9-12 for only \$4 every Friday and Saturday night. There is the Stanford Ballroom Dance Club, ready to organize whatever there is demand for. Hell, I'll even teach a hustle workshop if some dorm wants to try to gear up for a beginning hustle party.

A liberated woman does not have a fear of following. Follow value, men as well as women. That is one way of stating the fundamental principle of moral reason, and the value here is beyond what I can describe. I can only point: better than basketball, if you can imagine that.

Alec Rawls is pursuing a Ph.D. in economics.

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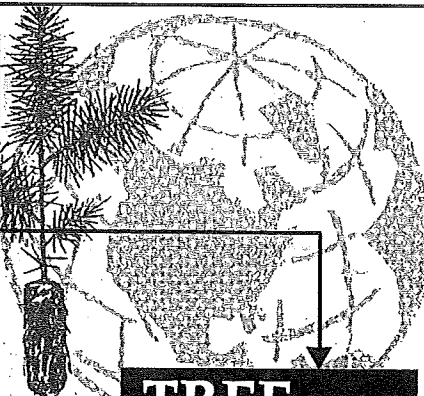
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The Thinker

For every issue,
there is another
side; think
about it.

March 6, 1995

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Vol. 1 No. 3

Should we protect the environment for its own sake?

Everyone agrees that we should protect the environment when it benefits us. If a species could help us cure cancer, few would contend that we should destroy its last habitat, or, if compact fluorescent bulbs save us energy and money, that we should not install them.

The Thinker asks you to consider a more difficult and fundamental question. Should we protect the environment for its own sake—does wilderness, or do species, have an intrinsic value? Are there ethical reasons to protect the wild? Is, as the UN World Charter for Nature asserts, "every form of life unique and warranting of respect regardless of its worth to man"?

An Ethical Responsibility

Justin Pollard

All living things on Earth have just as much right to be here as we do. It is by assuming that humans are superior to, and removed from, the rest of the natural world that we have gotten ourselves into a predicament such that the survival not only of the human race but of the entire planet has been called into question.



Clearly plants and animals would be better off if we protected them for their own sake, but to do so would also be the most beneficial course of action for humanity as well. This truth is evident from the fact that our future existence depends on the continued prosperity of the biosphere. On a deeper level, our existence can only be fulfilling if we lead ethical lives, which includes caring for all living things.

The argument that we should protect the environment only for economic reasons is seriously flawed for two reasons. It wrongly assumes that it is more important for humans to consume material

goods than to live ethically. And it depends on a economic system which is currently incapable of measuring real costs and benefits.

When we have transformed our economy such that all negative externalities are incorporated into pricing structures and consumption beyond minimal levels is undesirable rather than encouraged, protecting the environment for economic reasons will be legitimate. In the meantime, ethics, not economics, must be the main factor in determining the appropriate level of environmental protection.

According to Yoga philosophy, humans must live by five ethical principles; they are *ahimsa* (nonviolence), *satya* (truth), *asteya* (non-stealing), *brahmacharya* (continence), and *aparigraha* (non-coveting). Buddhism maintains five precepts which are virtually identical to these. Many other cultures around the world ascribe to similar value systems, including the Western tradition — for proof of this one need look no further than the Ten Commandments and the seven deadly sins.

Which leads one to wonder whether those truths are in fact universal. I strongly believe that they are, and countless others have also found that they are truly happiest when they abide by those rules for living. The direct benefits of the five ethical principles can be inferred from the devastation which results when they are not obeyed, and the prosperity obtained when they are.

Human beings, usually working through multinational corporations and the governments those corporations support, are destroying the Earth by violating Yoga's ethical principles. Humans are clearly killing, violating the first and most important principle: they are causing the extinction of countless species and waging wars of oppression around the world from Chiapas to Burma.

Politicians who spout environmental rhetoric and then slash regulations to aid the chemical or timber companies that financed their campaigns are lying. So are the corporate-controlled media who knowingly present false information (or, more likely don't present the relevant information at all — the Gulf War was a perfect example of a total media blackout) and the corporations that spend millions on environmental marketing schemes while illegally dumping their poisons in the inner cities and rural areas.

Corrupt governments and corporations steal natural resources from the

Benefits to Humans are Paramount

Paul Viriyapanthu

Everyone seems to be jumping on the "save the planet" bandwagon. It's gotten to the point where a person cannot turn on the television or read the newspaper without being inundated with adjurations to make stopping the deforestation of the South American rain forests and saving the whales top priorities. Can we really afford to embrace the notion that we should protect the environment at all costs? More fundamentally, ought we to consider ourselves obliged to do so?

In my opinion, no. Of course the environment and its well-being are relevant to all of us, and certainly no one wants to see it harmed, simply because the environment's well-being has a direct bearing on mankind's welfare. We must, however, strive for prudence rather than overreaction when addressing the allocation of environmental resources to human uses. Prudence in this sense can only be defined as paying due attention to the wants and needs of our own species. It seems that all too often environmentalists feel that protecting the environment requires the prohibition of all utilization of resources without regard to the consequence of such a prohibition. They thus demote human needs to an afterthought in the effort to preserve the environment. As a matter of course, this approach is practically unworkable and ethically unsound.

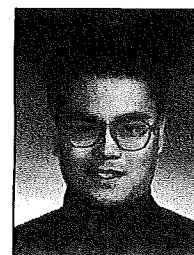
Should we halt progress, simply to preserve nature in its most pristine state? It seems that this is basically the ultimatum that many activists want to set before us. Cases abound where environmental protectionism was taken to just such an extreme. Take for example environmentalists' obstruction of the timber industry. Everyone remembers how, just a few short years ago, the entire North-

western logging industry was paralyzed when a few spotted owls were discovered in the Oregon forests. To protect the owl, an "endangered species," the harvesting of timber was prohibited to preserve its natural habitat. The consequence was a massive shortage of lumber with consequentially skyrocketing prices for

building materials. What's more, thousands of people were out of work. Not only was the logging industry affected, but numerous peripheral industries such as the construction and paper industries were also throttled in the process. All this for the protection of one species—and not very many members of that species, at that.

Of course there is nothing wrong with trying to protect the environment, or trying to ensure the protection of a species of plants or animals. However this desire for conservation must be tempered with reason and weighted against the best interest of people, which often is not done. If it ever came down to a choice between protecting the lives and jobs of people or protecting the environment, certainly people must be the priority. This is the ethical constraint on environmental overreactionism.

The paramount status of people in our considerations of the environment can scarcely be gainsaid. Few convincing arguments defending strict preservation of the environment do so without reverting to why it benefits mankind to do so, and this is eminently appropriate. The problem with presuming, as the UN World Charter for Nature does, that the rest of creation warrants our unqualified respect is that it leads to an absurd result: we would be unable to tamper with the environment



"Ethics, not economics must determine the appropriate level of environmental protection"

"If it ever came down to people or the environment, certainly people must be the priority"

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Please see "Viriyapanthu" on page 3

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Is California's "Three Strikes" law a fair response to crime?

Want to contribute? See page 2.

The Thinker



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Thoughts . . .

Humans Can't Judge the Value of Life

The issue of environmental protection is at heart one about judging the worth of another species. Which is worth more, a tiger salamander or the Big Game bonfire? Should we have one or the other? However, this is not the question that must be asked. The real question is whether or not we can judge, not what we should choose. We must answer whether we can know enough about a species to make a decision. Do we have sufficient information?

No, we do not. There is something about a plant or an animal that transcends our understanding, something that makes its value impossible to judge. We call this characteristic "life." In the debate on abortion, life arguably begins at conception. The fertilized egg, a cell that cannot survive on its own, is somehow "alive." This determination is not biological, for, in biology, a living thing must be able to survive outside the womb—something a fertilized egg can definitely not do. But there is something undeniable, something intangible, that makes it more than just a mere admixture of chemicals.

There is something that gives "life" characteristics beyond our understanding. We cannot truly know the value of any living thing, we cannot judge, and therefore we should not judge.

Mark Greninger, Junior in Earth Systems

Why humans must protect the miracle of life

There's an obscure rodent in southern California who can hear the difference between a snake's belly slithering across the ground and an owl's wings soaring through the air. A little further south in the Brazilian Amazon, there's a fish which is known to leap six feet out of the water to capture insects, small birds and even an occasional bat. Some redwood trees here were alive when the Magna Carta was signed.

The stories are simple, but they highlight the most important reason to be concerned about protecting the environment, even when the direct economic benefits may not be clear: every piece of life on this planet is a miracle.

It may seem elitist to invoke more spiritual notions to defend the natural world we live in. After all, no one really wants to cut down the rainforest or see species die off in record numbers, but people do this often just to survive. Natural resources are the backbone of every economy, and people can hardly be expected to give up their dreams for a better life for themselves and their children for the sake of spotted owls or snail darters. Unfortunately, however, the debate isn't that simple.

If any one word can be invoked to describe the current state of America's and the world's growing economy, it is this: inefficiency. Paul Hawken discusses this in his newest book, when he points out that "[m]arkets are superb at setting prices, but incapable of recognizing costs." Farms that grow fruits and vegetables organically, lumber companies that harvest their forests sustainably, and companies using recycled or recyclable packaging are often rewarded with higher costs and a competitive disadvantage. Their costs aren't really higher, but because they willingly take on costs that other individuals or companies push on to society, they are punished in the marketplace.

Fortunately, there's nothing inherently contradictory about an improving economy and environment. What

Life as Community

Environmentalism is not a choice. Scientific evidence betrays the wholesale decline of the Earth. All who would disagree—free market economists, the majority of the 104th Congress, and any non-environmentalists—are dangerously ignorant.

We should not protect endangered species or any other element of biodiversity because it possesses an untouchable intrinsic value. Rather, we need to protect the environment in order to fulfill our responsibility to the symbiotic structure of life itself. While the extinction of the black-footed ferret population would unlikely affect the viability of any human populations, the underlying human-induced destruction of life for this one species would portend countless other cases around the globe in which we might destroy biodiversity.

It is our linear developmentalist paradigm, ultimately our hubris, which causes the extinction of species. It now threatens to kill us due to its aggregate effects on humankind. Holmes Rolston Hughes points out that it is not endangered species but an endangered human future that is of concern. An environmental ethic humbly and simply recognizes our role in an entwined destiny with life around us.

Aaron Padilla, Sophomore in International Relations

seems contradictory is to expect a growing economy based on a deteriorating environment. Scarcity of resources will force technology to more efficient methods of production and consumption, but do we really want to wait until the last minute for that? How will we explain to future generations that we could have done better, but didn't?

No aspect of the environment is without value, and, although some may disagree, the key to solving our environmental problems is the same force causing them: democratic capitalism. Everyday we make choices that affect the world around us, and any simple decision becomes a powerful force when magnified over the lifetimes of millions of people. The government itself has an important place in this as well. As long as we continue to subsidize logging, mining, and other industries that should be able to stand on their own, environmentally-efficient competitors will be even harder pressed to match their "lower" costs. Despite all the rhetoric from the new Congress on cutting spending, these subsidies are strangely absent from the discussion.

Let's level the playing field to foster an improving environment and a growing economy. The measures to correct our current problems don't require any massive investment in new research, because the technology is, and has been, available. It doesn't require us to give up our TV's, VCR's and air conditioners, but it does call on individuals and governments to support measures to make producers internalize their environmental externalities so prices reflect true costs. We can not continue business as usual; we can not continue to praise the Creator while heaping contempt upon the Creation. We can not afford to explain to our children that we are to blame for handing over a world where the only miracles of life are photographs and fossils.

Bill Faries, Senior in Earth Systems

Reactions to Arts and Athletics

Arts are alive and well at Stanford

I was disheartened to read that some of your contributors feel that there is indifference and lack of appreciation regarding the arts at Stanford. Perhaps I wasn't able to grasp fully the meaning of their statements, but the implication was that students interested in pursuing artistic interests should stop whining already and do something about it.

I would like to contend that the Stanford community neither is indifferent nor lacks appreciation for the arts. I believe that there is a high level of community activity and support. Look around you. How else can one explain why every Winter One Acts show sold out? Or why the Stanford Symphony Orchestra continues to pack the house and receive critical acclaim? Or why the Music Guild is able to continue its support of music students, both majors and non-majors? These are only

a few examples of the artistic fervor and appreciation that the Stanford community has demonstrated. The problem is that, despite the best efforts of the faculty, students, and staff in the associated departments, Stanford has not provided strong support, financial or otherwise, for the arts. There have been some signs that the university is increasing its level of support, namely President Casper's involvement with fundraising for the Symphony's China tour this summer. But I remain skeptical.

I challenge those of you who haven't had the opportunity to experience the arts at Stanford to make the time to attend a show or recital at least once before you graduate. And afterwards, if the experience was stimulating, express your appreciation to those students that were involved. Support the arts.

Jay Lee, Senior in Human Biology

Pollard, continued from front page

native people, plants and animals to whom they rightfully belong. The governments of Western Europe, America, and East Asia are currently robbing the nations of the third world of their ability to feed themselves through exorbitant interest rates charged on debts that can never be repaid. Advertising and the media have created a materialistic consumer culture founded on greed. We learn from society that happiness can be found by satisfying our desires, be they lust or avarice, which in fact can never be satisfied, and unless ignored lead only to more desires.

Since ethical violations are at the root of the Earth's destruction, to protect the environment one need only abide by the five ethical principles. To confront the environmental predicament we must first address violence and social inequity in the world. The nuclear threat, as well as the fact that we are going to have to devote resources previously allocated to defense to minimizing the imminent environmental catastrophes, will force humanity to move beyond warfare as a means of settling disputes — that is, to create a world based on nonviolence.

As long as people are starving they cannot be educated to understand the world's problems and know what must be done to solve them, nor can they be expected to value environmental protection above their own subsistence. The rich countries of the North must therefore share their wealth with the poorer countries of the South so that we may collectively move toward a positive solution. To do so would mean changing our society's consciousness to value sharing over coveting and stealing.

Honesty is of the utmost importance to saving the environment. There must be truthful communication between all people and the governments representing them. Through controlling our desires, people can collectively decide to limit reproduction to sustainable levels and to dramatically reduce consumption levels.

We should lead our lives following these principles to save the environment and to benefit ourselves. But a consciousness shift as such clearly would not make sense in present economic terms. "More is better" is a fundamental tenet of today's twisted logic. Our job now, however, is to recognize the sanctity of all life and strive to protect it as much as possible, while minimizing our consumption levels.

By trying to rule a natural system — the terrestrial biosphere — which is far too complex for us to control, we have brought ruin upon it. By making decisions based on current economics, we decided that it was better to deplete the Ogallala aquifer and risk creating a dustbowl out of the entire Midwest within the next fifteen years. Can the discipline of economics account for the utter collapse of an ecosystem as complicated and fragile as the entire Earth? I don't think so. Eventually we must reorient our economic priorities to place emphasis on sustainability, not short-term profits. In the meantime, we will only solve the environmental problem by living ethically.

Justin Pollard, Senior in International Relations.

Bugs are Better than Humans

Bugs are better than humans. Anyone who has ever learned about the dance of the honey-bee, or the success of communities of other social insects has to believe this.

Rampant claims have been made about the success of our species and our dominion over the Earth, giving *Homo sapiens* the right to cause environmental destruction worldwide. Where do we get off?

I understand that we care to save our own race. What I cannot comprehend, however, is how anyone can argue that humans, the most destructive species on the planet, have more value than other, much more useful organisms? Termites, for example, process about one-quarter of the Earth's net primary productivity and constitute a major pathway for the return of CO₂ to the atmosphere.

Furthermore, the success of our species is a fallacy. If you measure success by the ability to build tall buildings and make nuclear bombs, then we win. But long-run biological success will be judged by the ability to survive, and to thrive in social communities (a task for which we clearly lack the prowess.)

Eventually we will die. Sorry to break it to you. We exist in a glimpse of geological time. The cockroach, that nasty creature who has grossed us out since we began building kitchens, has been around since times prehistoric and will likely survive long past the extirpation of humans from the Earth.

There was a man who could not talk about his fear of cockroaches for 30 years. When he finally spoke, he commented that "It is so small and I am so big. That is part of the horror. It is not the least afraid of me. Kill one? That would be impossible. It is, psychically, too big to kill. When I look at it, it is everything. So huge. Besides, even if I were able to kill it, another would come, another just like it. And that is too frightening even to consider."

And he's right. It will come back, again and again. Long after humans obliterate themselves, the cockroach will roam the Earth.

Karen Levy, Senior in Human Biology

Viriyapanthu, continued from front page

as a means for either human maintenance or advancement. The problems with such an ethic are obvious. Doesn't it demand that we not eat, since harvesting crops and killing animals is to use them as a means and to fail to respect them as we respect ourselves? If so, we would die, and having willed ourselves to starve to death, we have shown the species we don't eat more respect than we in fact have shown our own species. The demand that we not violate species in creation surely must prohibit violating our own!

Some might argue that this is taking the concept of "respect" too far, and that we can constrain our violations of other species without relying on a strict construction of their inviolability. An example of this would be an ethic that demands that we treat the environment with due respect, taking from it only what we need and returning what we can. But once we admit that we can "take" from the environment, what constrains how much we can take? As arguments by environmental reactionaries suggest, the only rational constraint is human benefit (to not "respect" nature is to damage it and our own welfare).

A final problem with suggesting that anthropocentric considerations should not control our use of the environment is that it depends upon a conception of mankind being divorced from the environment. This is useless arrogance. Sharks and lions and bears and microbes kill humans; humans kill sharks, lions, bears, and microbes. Where is the "ethical" consideration? I contend that ethical considerations are for human welfare and nothing else.

Because it is ethical to respect the environment only so far as it benefits man to do so, and because failing to rationally calculate man's benefit is practically unworkable, I maintain that the only environmental protection must not be for its own sake, but for our own sake.

The Trees Are Marching On

I like trees. I like meadows. I even like rivers and valleys and vines (especially grapevines); but I find something very disturbing about trying to save the environment "for its own sake." First of all, where did the concept of environmental free will come from, and how can it be supported. I know we all grew up reading stories about "mother nature" and apparently some of us even saw *The Lion King*, but as far as I can tell, all that about talking birds and happy bunnies was fictitious. Even if we were to assume that the environment did have some great plan set out for itself, how does divine it? Considering the environment's ebb and flow over the ages, how does it know it isn't looking to change again anyway? A brief glance at the earth's history should convince even the most romantic fool that the last thing on mother nature's agenda is conservation (I think we all know about the ice age?). So rather than pretending that the environment wants our protection, it might be wise to ask ourselves what we want from it, and try to be democratic about it.

Aaron Green, Junior in German Studies

Wilderness Is!!!

Most members of our egocentric, pigheaded species don't even blink at the assertion that humans are absolute lords of the planet. They think that we have every right to destroy the homes and lives of all other species on a whim. There is no defense for this argument. If pressed we fall back on pathetic appeals to an omnipotent god or the ancient favorite of the autocrat: "might makes right." Our right to pave over the home of the Cougar is based on nothing more powerful than "we can." When that same Cougar kills a hiker because she can't eat the cars that now run where the deer once did, she is hunted relentlessly with guns and poison until she is inevitably cornered and killed.

Besides the fact that wilderness, the representation of three billion years of evolution, should be preserved simply because it is the equilibrium position of the earth system, it is in the best interests of every species now alive (humans included, despite our best efforts to exclude ourselves from the loop of nature) to leave it as it was when we found it. No species that humans revere thrives in an industrialized world. We are creating a world in which rats and cockroaches have an evolutionary advantage over grizzly bears and bald eagles. This does not sound like a world I want to live in.

We are having an evolutionary effect on ourselves too. The people who have the greatest fitness in our emerging techno-world are not the Einsteins and mountain men who made it possible. They (we) are the rank-and-file bureaucrats who hunch over computers and keep the whole machine running as smoothly as it can.

The arguments for not destroying the wilderness are myriad and varied. In the end the most fundamental and the most convincing comes from Dave Foreman, the co-founder of Earth First!, when he said that wilderness should be left alone not because it might contain the cure for cancer or because it makes pretty pictures but simply because "Wilderness is!"

Tim Knight, Sophomore in Earth Systems

Factor in, but don't Exaggerate, Environmental Costs

The only measure of value is what we can see to value, but that does not mean that we can only value things for how they serve ourselves. We can value the environment for its own sake, just as we learn to see the value in many things outside of ourselves and our own happiness.

The threat to rational environmentalism comes when concern for the environment *per se* is given special priority over our interests in the environment for our own ends. This is typical of the environmental movement, which is constantly condemning mankind for treating the environment as there for our own use. But this attempt to separate environmentalism from other concerns is exactly backwards. We should be trying to integrate environmental concerns into our cost-benefit analyses with other concerns, not separate them out.

Prices are the mechanism by which market economies account costs and benefits. The glaring lack in this accounting today is the failure of gasoline and other prices to account pollution costs. But instead of rectifying this lapse by adding appropriate pollution taxes to prices, our irrational environmentalism gives us programs like the Endangered Species Act that proclaim environmental concerns to be above cost benefit considerations. This is Luddism. Rather than use the efficiency of modern market institutions to account environmental concerns, environmentalists are throwing wrenches into the machinery of market efficiency, hoping to halt the economic progress that they imagine to be their enemy.

It makes perfect sense to value the environment for its own sake, but only if this concern is incorporated into the full accounting of value, not set up in opposition to it.

Alec Rawls, Ph.D. Student in Economics

Write to The Thinker



The Thinker

For every issue,
there is another
side; think
about it.

February 14, 1995

A Bi-Weekly Publication

Vol. 1 No. 2

Arts and Athletics: Are Stanford's priorities properly balanced?

Last week, Winter One Acts sold out every show, bringing in approximately 40 Stanford students a night. During the season, thousands of students and alumni attend every football game. Does Stanford's football squad garner too much interest? Ram's Head Society too little?

Some people argue that Stanford should try to be more like the schools in the Ivy League with their avocational athletics and celebrated arts programs. Others argue that it is the combination of highly competitive athletics and rigorous academics that makes Stanford great. An underlying issue is whether the vigour of either depends on the emphasis on the other.

This week, The Thinker asks you to consider arts and athletics at Stanford. How much of each are essential to a liberal education and does Stanford represent an appropriate balance?

The Arts: A Win-Win Situation

Melinda McGee

Last Friday night I was cheering one of my favorite teams, the Stanford String Quartet, on to victory. It was especially during the third movement of the Beethoven that I had to restrain myself from clapping and cheering at the end of that play to follow convention. It was another one of those musical "contests" when everyone went home victorious. We were all winners—the audience (both the devoted fans and those who had never been to such an event), the players (especially diva Angela Brown), the stage crew, and probably even the critics. This was true teamwork in action: a tightknit group of four, responding to every nuance of their teammates—and when a fifth player from another team (Ms. Brown, Indiana University) joined them, she was able to take the play to a touchdown and the crowd cheered. No one was benched or left on the sidelines; it was a win-win situation for all.

Who were the losers? Those who stayed home because of the rain and those who will never know the magic musicians can make because they didn't receive a well-rounded education that includes training in the arts, both experientially and as audience members. Stanford has a responsibility to fully support the arts and thereby provide the kind of well-rounded education its students need.

Support for arts and athletics on a campus like Stanford should not be mutually exclusive. Rather than saying that athletics should get less support, let's push for the arts to be supported at a higher level, approaching the level of support athletics receives. This would not only be in terms of financial support, but also increased visibility through better media coverage.

Why should the arts receive more support than at present? As a dancer, I had my feet in both worlds, but the creative act of dancing goes beyond athletic prowess. Artistic endeavour begins when the dancer can transcend the body, transcend the physical act and express a higher consciousness—express an individual's inner self—dare I say *soul*. Athletics can take us only so far: we compete against others; we compete against ourselves. The arts make a grand leap: we transcend ourselves in the act of creating. It is through the arts that we transcend our daily lives and are in touch with our inner selves.

The arts are a core part of any liberal arts curriculum; they should be central to the educational

mission of any strong academic institution. Athletics, on the other hand, are not central. Are we better educated if Stanford beats CAL?

On a national political level, the arts are once again under attack, being pushed off the back of the bus by a congress led by men who must have been deprived in their youth from experiencing what it feels like to dance, to sing, to draw or paint a picture, to act in a play, or to play music. They have simply missed a central part of their education: that part that involves the body, mind, and spirit, for all three must be involved in order to create. In the current political climate, the National Endowment for the Arts (NEA) receives \$167 million a year. This is 64 cents per person—two postage stamps. *The tax dollars spent for military bands alone exceeds that allocated to support the arts activities in this country.* As a taxpayer, I am far happier to see my tax dollars go for positive, life-enhancing activities than for military subsidies. The \$4 billion cost of one Stealth bomber would create a real endowment that could fund the NEA in perpetuity. Wouldn't that be a more productive expenditure?

Please see "McGee" on page 3

Athletics as Education

Kay Luo

The very fact of the matter is that a successful athletic program does not come at the expense of other university objectives. The "Arts versus Athletics" debate is problematic, as the two neither conflict ideologically nor compete for resources. Moreover, the question of whether Stanford's priorities are adequately balanced seems unfairly loaded.

The perceived dichotomy between the arts and athletics has its roots in academic snobbery and the ill-conceived belief that athletics are of little or no importance in a higher learning institution. On the contrary, such a prejudice against athletics has no place in a setting such as Stanford. Those who fear that athletics compromise the University's integrity need to examine the reality of the financial and educational benefits that the Athletic Department provides for Stanford and its students.

The financial reality Stanford's intercollegiate athletic program is a completely separate, self-sustaining entity that in no way drains resources from the academic enterprise. According to Athletic Director Ted Leland, the funds to support Stanford's 33 varsity teams are raised through revenue from athletic event ticket sales, television appearances, the golf course, alumni contributions and various other sources. In fact, each year, scholarships provided by the Athletic Department lift an estimated \$1.6 million burden off of the Financial Aids Office by covering what would have otherwise constituted need-based student awards.

The University does pay the Athletic Department \$3.8 million per year, but only to cover the costs of running the physical education and recreation programs. This expenditure manifests itself in a host of opportunities made available to the Stanford community, including various PE classes, intramurals, club sports, weight room and swimming facilities, and even an academic dance program.

Mens sana in corpore sano As for the pursuit of athletics and academics in a higher learning institution, the two go hand in hand—a sound mind in a sound body, reads the classical quote. Winners of the prestigious Rhodes Scholarship represent such an ideal, as athletic participation is considered to be the most important criteria in applicants behind academic achievement. Says the committee, "Integrity of character, interest in and respect for their fellow beings, the ability to lead, and the energy to use their talents to the full [are qualities] best tested through participation and success in sports."

The beauty of Stanford is that the putative "student-athlete" is not a sham. While our top-notch athletic programs undoubtedly attract athletes, there's no dismissing the reality that Stanford is academically rigorous. Athletes, like all students, are accepted and come to Stanford under this assumption. Stanford provides student-athletes with the resources not only to fulfill both sides of that title but achieve greatness while doing so. And they do. Stanford athletes don't just garner national honors, but they go on to become teachers, doctors, lawyers and even artists.

Athletics as a common experience The most basic tenet underlying the tradition of athletics is that it brings people together. The Olympic Games epitomize this idea that physical strivings are a common human experience that can unite the world. I experienced this on a lesser scale, last year, when I spent six



Next Issue . . .

Should we protect the environment for its own sake?

Want to contribute? See page 2.

The Thinker



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How to Contribute to The Thinker

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Thoughts . . .

Gladiators and Philosophers

When Stanford was choosing its priorities regarding arts and athletics, it really had two choices: it could try to educate the students or it could try to make money. Stanford made a perfectly defensible decision. Moreover, the students here seem to be more interested in athletics; there are four pages of gushing, also sycophantic, sports coverage in the newspaper every day. However, in the long run, I think that the arts will contribute more to our society than football—just as the philosophers and poets of Ancient Greece and Rome contributed more than the gladiators.

-Taylor Bynum is a prospective transfer student from Wesleyan College.

The Geek Greek Ideal

Classical Greece gave us more than just naked statues missing limbs. From Greek history came Plato, Aristotle, and the school of Athens. However, academic contributions alone do not set this society apart. The Olympic games originated during this period, the first of which was held in 776 B.C..

What's my point? Well if there is one, it goes as follows. This society sought the ideal in human balance, control, and simplicity. Full development of mind and body went hand-in-hand and was valued highly. Someone who could chuck a discus while contemplating the reality of ideas wasn't as rare as it may seem today. Today, in a world where it pays to specialize, brainy geeks and dumb jocks are mass produced by the educational values of our schools. We have segregated the development of physique and psyche by rewording each in separate ways. One either gets A's and goes to a school like Oberlin College whose football team hasn't won a game in four years; or he squeaks out a 700 SAT for a full ride to Florida State.

Here at Stanford, the Greek ideal is still alive in at least some sense. Sure we have our share of geeks, some may say we have more than our share. And yes, even Stanford has dumb jocks. But where else can you find both species in abundance coexisting in harmony. And more often than not, these two overlap and fuse into one hybrid of sorts, the "scholar-athlete." Thus we have the rebirth of the Greek ideal.

What this world needs is people who can adapt and perform in the courtrooms and the basketball courts. People who are dedicated, disciplined, and motivated. These qualities are applicable to both facets of the ideal Greek. If Stanford wants to continue to produce and develop the future leaders of the world, it should continue to stress the importance of athletics and studies to its students.

We also have lots of statues of naked men all over campus.

Rob Hatta, Sophomore in Physics

Stanford's Uniqueness

Before one asks the question of why Stanford Athletics receive so much emphasis, exposure and funding one must first understand the mission of the university. I think the majority of professors and administrators would agree that Stanford's goal is to become the world's foremost institution of higher learning. In order to do this, Stanford must have something that distinguishes it from other schools. Stanford must have an element that other schools do not. This element is the nation's most elite athletics program.

Academics and the arts go "hand in hand," and many schools have achieved great success in both areas. Stanford, however, has taken a risk and done what other schools have been afraid to do: combine athletics with academics. No other university rivals Stanford in its achievement of such high levels of excellence in both fields.

Stanford's athletic program attracts a different breed of student-athlete. The Stanford athlete desires to do the impossible and excel at both athletics and academics. Like the Greeks, Stanford students believe that education consists of strengthening both the mind and body. It is this strong belief in the value of highly competitive athletics and academics that make Stanford like no other university in the United States. Without its athletic program Stanford becomes just another one of those God-awful Ivy League schools.

David Walker, Senior in Political Science

Arts and Athletics Merit no Place in Education

Both the arts and athletics are forms of entertainment. In the eyes of all but the participants, the pleasure derived from performing the act is purely incidental. It is the mark of our decadent, over-industrialized society that we subsidize such entertainment. We all seem to have forgotten that the money we spend so freely is a mental construct representing work. We are becoming increasingly removed from that work through the buffer of technology and we fail to connect our lives of ease with the cost. The surplus produced at the expense of the children who live on the tailings from nickel mines is what allows us to support artists or athletes. This is not to argue that art and athletics are not worthy pastimes, I just do not believe that it is worth the cost incurred to subsidize either. Some might argue that the Mona Lisa or Miles Davis' Kind of Blue is worth a few cases of leukemia or lead poisoning in children they will never meet. Others would argue that the Super Bowl is worth the death of one in eight women by breast cancer. I disagree.

Tim Knight, Sophomore in Earth Systems

Write to The Thinker

Reactions to Affirmative Action

After reading your edition on Affirmative Action, I would like to take a moment to reflect on the two sides of the issue. While I found Sally Dickson's article to be particularly on point and very well supported, I found Ed Malone's to be lacking much sound reasoning and ignoring crucial issues. It seems that in the final analysis, Mr. Malone is advocating that if any policy of "affirmative action" be instated that it should not be on the basis of race, but on the basis of some factor that is REALLY the source of disadvantage. He chooses socio-economic class as an example. He does not acknowledge, however, the underlying reasons for affirmative action—which are that races of people have been actively discriminated against for many years. In order to give these races a chance to overcome the active discrimination, some mechanism is necessary to enforce a change. The poor, while they may be disadvantaged because they cannot get to certain opportunities, whether it is because they must work or look after their children or whatever, have not been actively discriminated against in our history. While legislation may have favored the non-poor, and legislators may have not done much to HELP the poor, I cannot recall many instances of signs on bathroom doors and divisions on buses for "POOR" and "NON-POOR." Because many college-admissions offices are need-blind, the fact that a person is poor never

comes into play, unless of course the person mentions it in a personal essay. When a person goes for a job interview, assuming he is dressed the same as every other candidate, no one could ever see that he is poor, while the African-American, Asian-American, Native American and woman is in most cases "betrayed" by her name, if not immediately by her appearance. When discussing affirmative action the next time, I think it would be much more effective to address the underlying issue—not whether there should be affirmative action, but why it was promulgated.

Kristina Gill, Senior in Political Science

I would like to express my satisfaction with "The Thinker"—a long-awaited publication, in my opinion, since it offers BOTH sides of an issue. I would also like to add that I am a minority and do NOT feel that I am a victim of society, and particularly not of white males (of whom many minorities feel they are victims). White persons are indubitably my equals, and I do not see why I should feel oppressed by any dearth of melanin in their skin—much less why their opportunities should be impaired for my personal benefit.

Luz Reyna, Junior in Psychology

McGee, continued from front page

The arts and artists are expected to survive in an environment that denies adequate support, and then they are chastised for not thriving. If we were to put the same effort into supporting an artistic team, such as the Stanford Symphony Orchestra (SSO), that we put into our football team, Stanford would be a better place for all of us.

This summer our outstanding team, the SSO, will be embarking on their third international tour, this time to China to give public performances and interact with students at Chinese universities and conservatories. Can you imagine Stanford's basketball team being asked to practice, buy their own uniforms and equipment, play home games, and at the same time continue their academic studies while they worked oftentimes around the clock to raise funds to pay for the cost of games away from home? This is what our orchestra is expected to do: they must study for all of their coursework (including music) and practice on their own, attend rehearsals, and work at jobs to pay for their individual fee of \$1,000, plus raise about \$150,000 through gigs, playathons and general fundraising. What kind of basketball team would Stanford have if we expected our players to do all this in order to compete?

Fortunately, our SSO team succeeds despite the odds; but wouldn't it be better if we leveled the playing field so that our fine young musicians would have the same kind of support Stanford's athletes receive? Two postage stamps are not enough.

Melinda McGee is a Music Department Administrator and former NEA fellow.

The University Should Support the Arts More

I do not see the arts and athletics as competing entities. However, I do see a lack of emphasis on the arts from the University. Most recently, I have worked as producer of the Original Winter One Acts presented by the Ram's Head Theatrical Society, and the problems I encountered as an undergraduate trying to put on a show were numerous. Certain members of the Drama Department wanted to scale down the size of the show—discouraging instead of encouraging undergraduate theatre. We lost our usual performance space in the Nitery because a graduate student who is putting on a show a month after ours had planned to close could not part with his precious rehearsal space for a week. I don't mean to admonish the drama department, for they have good and dedicated people who have assisted in bringing many student productions to life. I was amazed to see the chair of the department on a ladder helping us focus lights and giving helpful advice to directors from the audience. The department administrative staff and costumers have aided us on countless occasions.

Rehearsal space on campus is difficult to find since many groups are competing for the same space, and with Savoyard's, Ram's Head, Drama Department, Lively Arts, et al. after the same rehearsal and performance spaces, students who wish to put on a show outside of these groups are hurled into dorms and dining halls. The solution is more rehearsal space and more theatres, but alas, that requires a sizable donation or an investment on the university's part.

Another constraint on good productions is Event Services. For a student or student group to use any Event Services space—Memorial Auditorium, Dinkelspiel, Kresge, Cubberly, Frost, and others—it will cost from \$30 to \$60 to \$90 per hour (depending on the circumstance) to use the space. That includes rehearsal and building time in the space. For a show that requires a week of building and hanging lights 8 to 12 hours a day, the cost will easily run into the thousands of dollars. One can understand why the drama department does not use Memorial Auditorium for its productions anymore and why Ram's Head has lost lots of money on its spring musicals (one show in recent years lost \$15,000).

The bleak circumstance stems from budget cuts several years back when the University told Event Services (then Events and Services) that it must pay for itself. Since it lost financial support from the University, Event Services needed to make money, even if it meant raping student groups into submissive penury. By cutting funding to Event Services, the University made a huge gash in the ability of organizations to put on large productions. Dramatic art may be forced into commercial appeasement—student groups will only risk shows that have been known to draw big crowds and dramas that force the individual to question his or her role in a social context will bow to the new order of feel-good, soap-opera circuses.

What can the University do to assist student drama on campus? Funding Event Services more so that students and their groups can pay lower prices when they use University space might be a good place to start, or the University could build another theatre somewhere on campus. The President's Office could create a National Endowment for the Arts for Stanford undergrads where students could apply for grants without strings attached, and the Board of Trustees could consider an Arts Quad to complement the new Science one. The demand for undergraduate drama grows. People will come to see the shows if someone puts them on, but not if student organizations are forced to charge outrageous prices just to rent University space.

The arts are an integral part of this Campus—they provide an outlet for creative energies, enjoyment for spectators, and an opportunity for the examination of one's self and environment. It would be a pity indeed if undergraduate artistic endeavors fall because of economic constraints and the only outlet for creative impulses becomes academic departments that make it difficult for all but graduate students to take the helm of artistic creativity. Undergraduate arts for the Stanford community are staring at hurdles raised higher and higher, and it is the University's responsibility to meet the artistic needs of all its students, performers and audiences alike.

Scott Roos, Senior in Classics and IDM

Luo, continued from front page

months in Germany. Being a runner gave me a connection that my shaky German didn't. I was invited into circles where running commanded mutual respect and appreciation among participants. It bridged the language gap and helped foster friendships that I might not otherwise have found.

This same phenomenon is what causes me to gawk everytime I chance to see one of my professors running through the foothills or on the basketball court. Sports provide a common bond that transcends cultural and educational differences. Catching professors outside the academic setting, covered in unpretentious sweat, foists upon you a new sense of respect for them.

One priority—Excellence Indeed athletics enjoy a lot of attention, but everyone benefits from the prestige that athletics bring to the University. It's a shame that there's not due recognition for everyone and their niche, but the hard reality is that society has a natural tendency to favor certain groups.

However unequal this may seem, there's no sense in picking fights. There's nothing to gain from making athletics out to be the bad guy of liberal arts. Arts advocates simply can't afford to polarize public opinion by offending athletic interests. Instead they ought to confront indifference and cultivate appreciation. This comes from mutual respect and understanding—not petty rivalries. Arts and athletics have never been antithetical, nor should they be. Stanford ought to strive for excellence across the curriculum.

Kay Luo is a senior majoring in communications

Artistic Spirit, is Students' Responsibility

Discussions of an institution's priorities too easily become entrenched in niggling issues of finance. Certainly, the way we allocate our dollars is an important indicator of what we value—but it's only an indicator. Ultimately, what determines the identity of this school are the collective attitudes of the people who constitute it.

The fact that on any given day I can open up the Daily and find a reference to a Pac-10 championship or a number one ranking is, in my opinion, terrific—a testimony to the incredible energy that members of this community put into a noble endeavor, and to the success that results from that exertion. On the other hand, the fact that on any given day I can open up *The Daily* and find half of its pages devoted to reporting those athletic achievements is, in my opinion, embarrassing—a daily indictment of our collective inability to commit the same energy and attention to fields like art and politics that we do to sports.

Why, when Stanford's name is mentioned even to educated listeners, does it more readily conjure up the image of sun and sports than of the sculpture garden?

Some people think the answer clear: MONEY. I am reluctant to say that Stanford's "problem of priorities" is, at base, a problem of unequal financing. It's not because I want to play the apologist for a university budget which, I suspect, showers its athletic programs with a disproportionate amount of money. But when we begin equating our school's priorities with its budgetary decisions in a neat one-to-one ratio we begin also to put constraints on its identity. It's too easy, when we treat money as the limiting factor, to assert that Stanford has reached the frontier of its potential for progress—that excellence in one area has to come at the cost of mediocrity somewhere else. Accounting ledgers are like that. Universities are not. I refuse to concede a single water polo championship or tennis title until the artistic community can demonstrate the necessity of the sacrifice.

What is preventing the emergence of a vital artistic community on campus is not so much a fiscal shortfall in the arts as an absence of excitement about them. We too easily forget that the energy and interests of the people who make up this community are what ultimately determine its character. That is where any attempt to change this institution's priorities must ultimately focus.

Why is there seemingly little interest, across a broad sector of the student body, in the creation and appreciation of art? Is it because we are expending too many of our spiritual resources—our limited reserves of time, energy, and enthusiasm—on the pursuit of athletic success? You would have a hard time convincing me of that. Recall how sleepy and quiet this campus can feel on a Saturday night; are we to believe that the whole community is zonked out from a ten mile workout or an all-night rally with the Tree? No, I think that the responsibility for Stanford's artistic indifference lies less with its strong athletic orientation than with a few other features. Consider, for example, these peculiar properties of our home: the cautious and traditional inclination of our admissions department, the somnambulism of our suburban environment, the time-suck that is Chem 31. Together, they add up to give this institution a singular trait: we tend to repel people who have too much creative spirit, and to slowly drain away whatever remains in the veins of those who are here.

How can we change? The administration might adjust its recruiting strategies and move around some dollars; there is no doubt that would help. But I am convinced that the real power to change the character of this campus lies in the hands of the undergraduate population. Until we in the student body acknowledge the problem and start taking steps to change our attitude and interests, there will be no truly lively arts at Stanford—regardless of whether sports are any good.

Andy Cowgill, Sophomore in Earth Systems

Neither athletics nor art is worth the kleenex I wipe my nose with. Get to work, ninjas.

Aman Verjee, senior in Public Policy and Economics



The Thinker

For every issue,
there is another
side; think
about it.

January 31, 1995

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Does Affirmative Action benefit our society?

Thirty years after Lyndon Johnson's call for nationwide affirmative action, the question of preferences for minorities is more divisive than ever. In 1996, an initiative that demands the abandonment of all types of affirmative action within the state promises to appear on the California ballot. The fight over this initiative portends to be as contentious as the recent battle over Proposition 187.

The Thinker asks you to consider racial preferences in this context and also in the context of Stanford's own affirmative action admissions policy. Should Stanford afford special consideration to someone because of their race? because of their family income? because their parents went to Stanford? Read on and debate.

A Necessary Step Toward Equality

Sally Dickson

Why is affirmative action such a hotly debated topic and why does it solicit such strong emotional reactions from people on both sides of the argument? The legal issues regarding the policy are difficult to understand and have a long history of debate in the judicial system. However, the real difficulty in discussing affirmative action is that it is a domestic policy that attempts to address a history that most Americans would like to forget - racial and sexual discrimination. This policy calls on individuals not to merely pledge support for the ideal of equal opportunity to women and people of color, but also tests their willingness to put such an ideal into practice. As Professor Katharine W. Greene states in her book *Affirmative Action and Principles of Justice*, "any discussion of affirmative action exposes prejudice, oppression and injustice." As Greene goes on to point out, "[p]rejudice, oppression and injustice do not simply go away with time. They must be recognized before they can be changed, and change requires effort." Affirmative action is a necessary step toward change.

Proper assessment of the value of affirmative action and formation of a decision about its effects requires undertaking a thoughtful examination of America's current and past discriminatory practices and an examination of the current educational and economic situation of people of color, women, the disabled and other individuals who occupy the bottom of the economic ladder. These examinations will lead to a recognition that negative racial attitudes continue to operate to prevent people of color from enjoying the full opportunities afforded other citizens.

Before addressing the elements of the affirmative action debate, it is important to understand what affirmative action is and what it is not. The term "affirmative action" as we know it today first became part of the American lexicon in the late 1960's and early 1970's when federal contractors were required to devise and carry out affirmative action programs. Executive Order 11246, signed by President Johnson on September 24, 1965, required that federal contractors "take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex, or national origin." Enforcement of Executive Order 11246 and other Executive Orders pertaining to affirmative action is the responsibility of the U. S. Department of Labor's Office of Federal Contract Compliance Programs (OFCCP).

Title 41, Part 60, of the Code of Federal Regulations calls for any organization doing business with the Federal government to have an affirmative action program. This federal regulation states: "an affirmative action program is a set of specific and result-oriented procedures to which a contractor commits itself to apply every good faith effort. The objective of those procedures plus such efforts is equal employment opportunity. Procedures without effort to make them work are meaningless; and effort, undirected by specific and meaningful procedures is inadequate. An acceptable affirmative action program must include an analysis of areas within which the contractor is deficient in the utilization of minority groups and women, and further goals and timetables to which the contractor's good faith efforts must be directed to correct the deficiencies and thus to achieve prompt and full utilization of minorities and women, at all levels and in all segments of its work force where deficiencies exist." (emphasis added) The federal regulation also calls for all personnel activities be conducted in a non-discriminatory fashion.

What makes affirmative action effective is that it informs the employer,



Up from Affirmative Action

Ed Malone

With the possible exception of abortion, affirmative action is the most divisive issue in America today. Proponents argue that without the aid of affirmative action programs, minorities would be unable to compete in a racist society. Opponents often argue that merit, not race, should be the determining factor in school admission or employment.

Affirmative action comes in many forms. It may come in the form of lowering standards for certain ethnic minorities. It may come in the form of raising standards for Whites. The practice of affirmative action may involve accepting the minority over the White when both are equally qualified. It may simply involve making a greater effort to woo prospective minority applicants than white applicants.

The form that affirmative action takes may be unclear, but the goal of all affirmative action programs is certainly clear: to ensure that there is a politically acceptable racial balance in student bodies and office staffs. Such a practice can easily lead to racial quotas in a loose or rigid sense.

Many people argue that there is nothing wrong with such a system. They argue that affirmative action is merely a payback for hundreds of years of oppression. They pull out the usual Lyndon B. Johnson analogy of the two runners, one being shackled and pushed backward and the other left unimpeded. They then ask whether it is fair to expect both runners to compete without allowing the previously shackled runner to catch up. In the following analysis of why such justifications for affirmative action fail, I will refer to its effects on American Blacks, both because I feel the effects of affirmative action on other targeted groups (Latin Americans, Native Americans, and women) are similar to those on blacks and because repeatedly enumerating every targeted group is onerous.

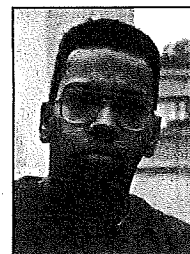
The runner analogy is fundamentally flawed. First, there is no such thing as a race between one black runner and one white runner. There are millions of runners who belong to many kinds of groups, not just racial groups.

My mother once told me about my late great-great uncle in her home town of San Augustine, Texas, who asked a white man if he could borrow five dollars. The white man said he did not have the money. My uncle then said with indignation, "Why don't you have the money? You've been white all your life!"

My uncle's mentality is the same mentality of proponents of affirmative action. They assume that being white automatically makes one a guilty beneficiary of the oppression of minorities. They assume that being African American, Native American, or Hispanic American automatically makes one a victim of society.

If all other factors that determine one's lot in life could be controlled, then I would perhaps agree that every living black man, woman, and child is worse off than every white man, woman, and child. However, this is impossible. Being black is an impediment to success in America, but it is not the only impediment. Although a woman may have one thing going against her (i.e., her dark skin) she might have other things going for her, such as being rich or living in a nurturing environment. Likewise, a man might have pale skin in his favor and might yet be inhibited by other factors.

For example, the median family income of Blacks is about 35 percent lower than the median family income of Whites, but the median family income in



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Arts versus Athletics: Are Stanford's priorities properly balanced?

Want to contribute? See page 2.

The Thinker



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Statement of Purpose

The Thinker is an independent student publication intended to promote thought, communication, and lively discussion about current issues that demand consideration and reflection in the Stanford community. The Thinker offers students, staff, and faculty members the opportunity to express their views to a diverse audience.

How to Contribute to The Thinker

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Thoughts . . .

Affirmative action unfairly stigmatizes minority individuals; it is an idea whose time is long past.
-Adam Ross, Senior in Political Science and Economics

If there's any place for affirmative action, it's in education.

-Gregg Osofsky, Junior in Science, Technology & Society

Students whose parents or grandparents went to Stanford have their chances of being accepted doubled. How many minority students had their parents or grandparents go to Stanford?

-Tim Knight, Sophomore in Earth Systems

Affirmative Action is necessary, but we must think of it only as a temporary aid toward establishing an ideally diverse student body admitted solely on the basis of merit.

-Adam Seelig, undeclared Sophomore

Race Matters

Until this nation deals with the historic inequality that has resulted from its preoccupation with "race," affirmative action will be one social mechanism with which we will have to live.

Why shouldn't "race" be taken into account, especially when it remains one of the governing factors in how we view each others as human beings? We have used "race" as a symbolic caste system in this country to construct a hierarchy of humanness based on biological traits. Affirmative action, though by no means a solution, seeks to help qualified individuals break out of their caste boundaries and achieve life goals that would have never been realized simply because of their "race."

The way I see it, the real issue is not affirmative action, but rather the social and economic inequalities that have resulted from our classifications of humanness and, ultimately, our inability to rid ourselves of the false belief in "race."

Let's stop debating the pros and cons of affirmative action, let's stop preaching the "pull yourself up from the bootstraps" ideology, let's stop talking about how it stigmatizes individuals, and all the other yang-yang, and start dealing with the real issue: historic inequality resulting from our caste system of "race."

Johnathon E. Briggs, Junior in Communications

A Small Step in the Right Direction

The basic complaint you hear from anti-affirmative actionists is quite simple: "It's not fair!" Such a complaint reveals a total failure to grasp reality. This lack of common sense is not at all that surprising in individuals who, like many of us, have grown up sheltered from the racism of our society. Racism is real, it is pervasive, it is inescapable - and it is difficult to comprehend if you are white.

Complaints about admissions to Stanford of non-white students with slightly lower grades are utterly laughable. A non-white student with good grades, recommendations, and test scores has almost inevitably far more character and perseverance than a (non-poor background) white student, and is more likely to excel in studies, research, and life (if she/he can surmount the racist obstacles later on). Likewise, female students who are otherwise equal can be safely assumed to have more perseverance and character than male students.

The truth about affirmative action in this country is likewise simple to see if you use just a little common sense: affirmative action is weak, it is rarely enforced, it is rarely implemented, it has proved largely ineffective, and its existence is constantly used as a tool of racism. Affirmative action programs obviously need to include equal education, but can we have equality in public education when school district funding is tied to property taxes in the community? Often, affirmative action programs are basically government (i.e. taxpayer) subsidies to corporations who hire a few token (and low-paid) non-whites. Just take a look around campus - in what positions do you see non-white staff and faculty? In positions in which you would desire to be? Rarely. What percentage of janitors are non-white? What percentage of full professors are non-white? Reality is pretty clear, if you bother to look.

Greg Barnes, graduate student in Biology

A Sensible Approach

Affirmative Action makes an easy target for critics. Conservatives dismiss it as "social engineering," while even liberals wince at the horror stories of middle-class job applicants with 1/16 Portuguese blood qualifying as "Hispanic." Similar excesses abound in university admissions, the area I will treat here.

In spite of the existence of some abominable implementations, Affirmative Action remains a solidly valid concept. Even Affirmative Action's worst critics agree that all of us, not just the poor or disfranchised, lose when society's underclass grows and becomes increasingly distant from the rest of the population. Affirmative Action helps to remedy this problem.

Many critics would still accept the notion of taking factors such as poverty under consideration in university admissions, but they draw the line at the use of race as a criterion. Yet role models for a given racial group, or gender, are of tremendous importance, regardless of income status.

Opponents of Affirmative Action in university admissions speak unctuously of selection on the basis of "merit," say as defined by grades and test scores. I have talked to many students who somehow feel that higher SAT scores give one an inherent right to admission to a famous school. Yet what principle—moral, societal or whatever—would justify this? Sure, the one who is a tenth of a second faster in the Olympics gets the gold, but what on earth does this have to do with university admissions?

When I ask these students whether they take advantage of the special virtues of such a school—do they attend the public lectures by world figures who visit, do they make use of the extensive library facilities, do they make it a point to take courses from Nobel laureates—the answer is almost invariably no.

On the contrary, these students usually admit that they simply want to acquire the prestigious name that the school offers. With such a confession, they clearly lose any right to the moral high ground they claim on the basis of something like SAT scores.

On the other hand: The presence of students whose academic skills are not "in the same league" with those of typical students at the given school is indeed harmful. It makes it difficult for faculty, to give challenging assignments, thus bringing down the level of education. Much worse, it exacerbates lack of self esteem in such students—a result antithetical to the goal of Affirmative Action to build self-esteem, not destroy it.

These ideas then lead to a sensible approach to Affirmative Action. Threshold values would be set (rather liberally low) for numerics such as SAT scores, below which there is little expectation of success at the school. But, after having set such threshold values, there is really no defensible reason for further comparison of test scores among applicants. Thus at that point random selection would be used, i.e. a lottery, with possibly a very small number of slots reserved for well-warranted special cases.

Use of a lottery would be simple and eminently fair, and it would also produce the diversity desired by proponents of Affirmative Action.

Norman Matloff, Professor of Computer Science at the University of California at Davis: he was formerly Chair of the faculty committee on Affirmative Action at that university

Race Doesn't Matter

How is it that the leadership of the Republican Party, long criticized as insensitive to minorities, is more diverse than that of the Democratic Party? It is simple. Republicans have moved beyond race when selecting their leadership; hence over half of the core RNC leadership is female and the emerging minority representation in the party is gaining steam. Democrats, whose core leadership boasts few to no women and whose support among minorities is dwindling, can claim no such progress as race and gender dominates their decisions. Move beyond the shallow notion that race matters (as Cornell West likes to believe) and you will witness progress. Hell, if the RNC can do it, anybody can.

Michael Meyer, Junior in Economics

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that when the numbers of members of the targeted groups represent only small proportions of the workplace, despite the availability of competent minorities and women, the employer must act affirmatively to include in the workplace individuals from these groups. "If one reads the federal requirements carefully it is clear that, contrary to what is often thought, "affirmative action" does not exclude White males from competing for jobs. Instead it calls for a systematic effort by employers to include in their workplace people of color and women who can perform the necessary tasks. It asks the employer to set goals to achieve parity. Affirmative action goes beyond a mere pledge not to discriminate by providing a structural mechanism for organizations to diversify their workplaces and classrooms.

Affirmative action acts as a compensatory redistributive program. Redistributive measures (including FHA mortgage loans to specific home buyers, GI benefits to people who have served in the armed forces, and subsidies to certain farmers) are not new to American politics. Why, then, is there such strong resistance to affirmative action? Opponents of affirmative action often claim that these types of programs are unfair. Affirmative action, they argue, perpetuates the very discrimination (race and gender-based decisions), that it intends to eliminate. Opponents also argue that affirmative action penalizes White males who did not personally discriminate and therefore should not be made to pay the price for restitution of past discrimination by others. Lastly, some opponents argue that affirmative action is synonymous with preferential treatment which results in less qualified individuals selected over Whites.

These arguments against affirmative action raise several interesting points that deserve a response. Anti-affirmative action proponents often make two erroneous assumptions: 1) discrimination and negative racial attitudes are things of the past, and 2) affirmative action is a means of "retributive justice." Pertaining to the first assumption, a 1985 study found that African-Americans held only 0.3 percent of senior executive positions, and a 1990 survey of 799 companies reported only 19 of over 4000 directors and highest paid executives were women (Morrison, 1992). Similar figures have been reported for Latinos, Native Americans, and Americans with disabilities. Most empirical studies indicate that the wages of people of color are less than those of their white counterparts. Despite good intentions, equity in employment and promotional opportunities continues to be an issue for people of color and women.

Nor is it true that affirmative action is a means of "retributive justice." Although affirmative action programs may take different forms, they are all alike in one respect. All programs require an organization to take notice of people's ethnic group and gender. This fact alone offends people because of their confused understanding of the concept of a "color-blind society." "Race" as Studs Terkel observed, "is an American obsession but an obsession most individuals are ambivalent about." Americans at times feel that to acknowledge race is an indication of prejudice. One interpretation of the concept of a "color-blind society" is that individuals shall not be treated unfairly due to race. Affirmative action, on the other hand, recognizes that White males have had an "advantage" in competing in the marketplace for employment. Thus affirmative action attempts to "level the playing field". In order to do so, it must take into account race and gender because those are the factors upon which prior and current discrimination have been based.

Opponents of affirmative action often claim that but for their minority or gender status, certain applicants for college admission or jobs would not have been successful. But affirmative action programs use race or gender as only ONE factor for inclusion. In other words, race is not the determining factor; it is but one of many that employers must consider. This system is designed to address past discrimination and is clearly not based upon retribution. It does not take away the rights of anyone. When two individuals compete for a job and the person hired is a minority and the unsuccessful candidate is white, can it logically be claimed that the white candidate had something taken away from him?

The purpose of affirmative action is to include individuals into workplaces and universities where there has been and continues to be underrepresentation. Effective affirmative action programs will change the "picture of who is included in U.S. companies and colleges". Americans have become accustomed to the "norm" that decisions in business and emanating from other positions of authority are carried out by white men. With the advent of affirmative action, however, many foresee that a change in allocation of positions of authority can be possible. As traditional barriers to women and people of color entering the workplace are removed, perhaps more members of these groups will enter into positions of authority. This does appear to be happening in the case of women in particular, as many women are currently occupying positions formerly held by men. This change in the landscape presents a new picture which may be perceived by many as both threatening and unusual.

Affirmative action is not only a necessary structural means for creating diversity in workplace and university settings; it is also an avenue for addressing broad social issues that impact how women and minorities can acquire the tools necessary to survive in our current economic structure. Professors Clayton and Tangri in their essay "The Justice of Affirmative Action" distinguish between what they call micro- and macrojustice. They assert that, "(o)bjections to affirmative action are usually made at the microjustice level: Affirmative action led to an unfair outcome for *this* qualified White man or for *that* unqualified Black woman." But affirmative action should be viewed as a means of obtaining equal opportunities for groups of individuals and not as a means of taking "personal rights" from others. Affirmative action calls into question institutional operations that have resulted in denying access to opportunities. Although many may argue that affirmative action results in denying certain individuals opportunities, the intent of affirmative action is the contrary. Analysis of the effectiveness of affirmative action programs should be made on a broad societal level, in terms of how it has operated to improve the well being of the targeted segment of the population. We should ask

Malone, continued from front page

California is 71 per cent higher than in Arkansas. Now, should a relatively rich black person living in California be classified as worse off than a relatively poor white person living in Arkansas? A person with the affirmative action mentality would say yes.

The runner analogy falsely depicts Blacks as a monolith, making no distinctions between rich and poor Blacks. Affirmative action programs do not consider economic and geographic factors and fail to make distinctions between affluent Blacks and lower class Blacks. Since Blacks who are worse off than other Blacks do not have a competitive advantage as far as victimhood is concerned, affluent Blacks have a field day with affirmative action. Thus a purely race-based affirmative action "benefits" those Blacks and other minorities who "need" it least, the bourgeoisie.

Another problem with the runner analogy is that affirmative action doesn't enable the black runner to run as fast as the white runner or to catch up with the white runner. Affirmative action policies tell the black runner that he simply doesn't have to run as fast. The judge expects less out of the black runner. Affirmative action simply moves up the finish line.

For example, in order to receive a Presidential scholarship from a public university in the state of Illinois, Whites are expected to score a 26 on their ACT tests, Blacks are expected to score 24, and Hispanics are expected to score 22. Instead of helping black and Hispanic students to score as well as Whites do, liberals are content with expecting less out of them. Race-politicians argue that the tests are culturally biased — I would observe that life is culturally biased. A group of people who are used to hunting and gathering who live in an agrarian society can't just sit back and whine about the fact that they have just as much brain power as farmers and lament that they are not in a culture that allows them to shine. They must either learn farming or move to a place where their culture is favored. On the same token, those who whine about cultural bias in standardized academic tests must either adapt to the mainstream culture or move to some place where their culture is favored.

This is not to say that some questions on standardized tests are unfair. This is to say the criteria for determining fairness of a question is not whether those belonging to a particular culture are more apt to answer the question correctly, but whether the question is relevant to its stated purpose of identifying performance capacities.

Many of my black peers would contend that affirmative action is effective, in that it is the only way to ensure that qualified minorities get an opportunity. This line of reasoning only begs two important questions: If we are qualified, why do we need affirmative action? Would an antidiscrimination policy adequately ensure opportunity?

Businesses and schools could simply practice a policy of non-discrimination — that is, removing all irrelevant barriers (direct or indirect) to acceptance and promotion, such as race, sex, religion, relation to someone, etc. During the review process, the applicant's name, sex, hometown, and other demographics could be deleted from the application, and the applicant would just become a number. After the application is reviewed, the applicant's demographics could be reattached. Under such a system, there is no way that a qualified ethnic minority could be turned down.

If American companies and schools would implement such a policy, no one could reasonably question the qualifications of black students and employees like they do now. There would be no one breathing down our backs to see if we were lagging behind our white peers. There would be no resentment from whites who believe that affirmative action is the reason why their second cousin with a 4.9 grade point average was not accepted to Stanford. Finally, there would be no self-doubt or insecurity. As minorities, we would know beyond the shadow of a doubt that our successes were deserved.

Perhaps it would be good if benevolent people used an applicant's underdog status as a tie-breaker between equally qualified candidates. However, they should consider all factors — not just race — in determining who is the underdog.

It's time to stop thinking in terms of group rights and to start thinking in terms of individual rights. Any applicant, whether black, white, Hispanic, Native American, or Asian American, should be hired by employers or accepted into schools because of their qualifications. They should be accepted one by one, not as colored sheep thrown into certain groups by all-knowing liberal shepherds. If Jane Doe is able to meet the qualifications, she should be accepted as Jane Doe, the individual, the one-of-a-kind, not as Jane Doe, the black woman. We cannot eradicate or even fight racism by making race one of the most (if not the most) defining characteristics of an individual.

Ed Malone is a Junior in Political Science.

what the detriments would be if such programs did not exist.

I am not implying that affirmative action as we know it is a perfect remedy. It needs careful review to determine its effectiveness, including a review of whether the programs are reaching the various socio-economic groups within minority populations. We should also study how effective federal contractors are in meeting their goals and timetables, and what problems they encounter along the way. With continued attention to its effectiveness and thoughtful adjustments, however, affirmative action programs can create a potential for inclusion of women and minorities in areas from which they would otherwise continue to be excluded.

Sally Dickson, J.D., is Director of Stanford's Office of Multicultural Development and a lecturer at Stanford Law School.

United States Senate
Committee on the Judiciary

Questionnaire for Judicial Nominees
Attachments to Question 12(c)

RYAN WESLEY BOUNDS
Nominee to be United States Circuit Judge
for the Ninth Circuit



Department of Justice

STATEMENT

OF

RYAN W. BOUNDS

DEPUTY ASSISTANT ATTORNEY GENERAL

BEFORE THE

COMMITTEE ON THE JUDICIARY

SUBCOMMITTEE ON CRIME, TERRORISM, AND HOMELAND SECURITY

UNITED STATES HOUSE OF REPRESENTATIVES

CONCERNING

“REVIEW OF THE PRISON LITIGATION REFORM ACT:
A DECADE OF REFORM OR AN INCREASE IN PRISON ABUSES?”

PRESENTED ON

NOVEMBER 8, 2007

Mr. Chairman and Members of the Subcommittee:

Thank you for giving me the opportunity to appear before you today to discuss the current operation of the Prison Litigation Reform Act and the proposed Prison Abuse Remedies Act. The Department recently obtained a copy of the text of the proposed Prison Abuse Remedies Act and has not yet had an opportunity to review it. As a result, I will not be able to address any specific proposals or provisions in that bill at this time.

The Prison Litigation Reform Act, which Congress enacted on a bipartisan basis and with the support of the Clinton Administration in 1996, represents an important accomplishment. All of the provisions of that law were designed to establish a balance between the rights of prisoners to seek effective judicial redress for constitutional violations arising from conditions of their confinement and society's interest in decreasing the quantity of meritless lawsuits purportedly premised on those rights.

The law has worked to accomplish this goal. In 1994, about 25% of the civil cases filed in federal court were prisoner suits. That is, the total number of lawsuits that were filed by the approximately 1.5 million prisoners in state and federal facilities amounted to more than a third as many cases as were filed that year by the remaining 300,000,000 Americans—along with corporations and other private institutions—combined. The overwhelming majority of these cases were dismissed for lack of merit, but not without consuming an inordinate amount of judicial and administrative resources and inevitably delaying the resolution of legitimate civil suits.

Prisoners, who did not contend with the common deterrents against litigation that ordinary Americans faced, “often brought [cases] for purposes of harassment or

recreation.”¹ This state of affairs benefited no one: It did not help rehabilitate prisoners, rarely resulted in uncovering actual constitutional violations, distracted prison officials from the efficient operation of facilities, and delayed justice for other civil litigants.

In addition, at the time that the PLRA was enacted, federal litigation sometimes produced open-ended consent decrees that would lead the courts to exercise significant and long-term administrative operational control over prison facilities. Therefore, Congress, with the active support of the Clinton Administration, supported the PLRA’s intent “to place limits on judicial oversight of prisons through the establishment of specific statutory standards for the entry and maintenance of judicial relief in prison conditions cases.”²

The PLRA contains a number of provisions geared to balance prisoner rights and effective administration of the nation’s prisons and courts. For instance, to eliminate frivolous claims based on mere offended sensibilities, the legislation requires prisoners who seek compensation for mental or emotional injury to demonstrate an accompanying physical injury as well. Such evidence is normally required under well-settled principles of common law as well as for civil rights claims brought outside the context of prisoner suits. It is important to bear in mind that this requirement does not prevent prisoners from seeking judicial recourse when they suffer constitutional injuries without physical harm.³ Such injuries may not be physical, but they are serious, and the PLRA permits recovery for them.

¹ Testimony of Associate Attorney General John Schmidt, “Overhauling Our Nation’s Prisons.” Senate Judiciary Committee, July 27, 1995 at 6.

² Testimony of Associate Attorney General Schmidt, “Implementation of the Prison Litigation Reform Act,” Senate Judiciary Committee, Sept. 25, 1996 at 3.

³ See, e.g., *Hughes v. Lott*, 350 F.3d 1157, 1162 (11th Cir. 2003)(prisoners can recover nominal damages under PLRA for a constitutional injury absent a physical injury); *Calhoun v. DeTella*, 319 F.3d 936, 941 (7th Cir. 2003)(same); *Thompson v. Carter*, 284 F.3d 411 (2d Cir. 2002)(prisoner can recover

Similarly, Congress imposed a requirement in the PLRA that prisoners exhaust administrative remedies before filing suit. This is one of the most important provisions of the Act, and it was designed to advance several objectives. As the Supreme Court has ruled, PLRA's exhaustion requirement "gives prisoners an effective incentive to make full use of the prison grievance process and accordingly provides prisons with a fair opportunity to correct their own errors."⁴ The Court has noted that the exhaustion requirement was enacted "to reduce the quantity and improve the quality of prisoner suits. . . . [T]he internal review might filter out some frivolous claims. And for cases ultimately brought to court, adjudication could be facilitated by an administrative record that clarifies the contours of the controversy."⁵ The last point reflects the fact that the exhaustion requirement is not designed to impair inmates' ability to succeed in court but rather to improve the quality of inmate complaints that eventually make their way to court and thus to facilitate the likelihood that prisoners with meritorious claims will prevail.

The existing administrative process is a legitimate avenue for prisoners to redress grievances in a timely manner. Prisoners need not fear retaliation from prison staff for filing grievances.

The governing Bureau of Prisons regulations provide confidentiality to the nearly 200,000 inmates in the federal prison system who choose to avail themselves of the process.⁶

compensatory damages for constitutional non-physical injuries). Courts have also allowed prisoner lawsuits under civil rights laws that do not require physical injury. *See, e.g., Jackson v. District of Columbia*, 254 F.3d 262, 266 (D.C. Cir. 2001)(RFRA); *DeHart v. Horn*, 390 F.3d 262, 272 (3d Cir. 2004)(RLUIPA).

⁴ *Woodford v. Ngo*, 126 S. Ct. 2378, 2387 (2006).

⁵ *Porter v. Nussle*, 534 U.S. 516, 524-35 (2002).

⁶ *See* 28 C.F.R. Part 542.

Congress also sought to reduce frivolous prisoner suits by ensuring that prisoners begin to consider common economic disincentives to bringing litigation. The absence of those disincentives significantly fueled the large number of frivolous prisoner cases that were brought before passage of the PLRA. Most civil litigants pay a portion of the costs of the court's adjudication of their case through filing fees. Before the PLRA was enacted, however, inmates were routinely granted *in forma pauperis* status and were able to file numerous cases at no cost whatsoever. The PLRA ended this practice and required inmates to pay filing fees in the federal courts, just as other plaintiffs must. Recognizing that inmates often have limited financial means, the PLRA balances this requirement by allowing inmates to pay their filing fees over time, a privilege not afforded to other plaintiffs in the federal courts.

Moreover, the PLRA provides that prisoners who egregiously abuse their access to the federal courts by filing three cases that are dismissed as malicious or frivolous or for failing to state a claim cannot ordinarily file additional cases without paying their filing fees in full. Obviously, this provision discourages the filing of frivolous lawsuits. Equally obvious is the fact that removing this barrier for frequent filers will generate *more* frivolous claims. Under current law, prisoners face the same sanctions as non-prisoner civil litigants who may be prohibited from filing if a court determines that a litigant has filed an excessive number of non-meritorious lawsuits. Again, however, balance is maintained under present law.

Despite this provision, prisoners can file additional cases if they pay the filing fee, and they can even file without prepayment of the entire fee if they seek remediation for a legal violation that poses an imminent danger.

In fact, the Supreme Court of the United States has characterized the three-strikes provision as the most successful part of the PLRA in reducing frivolous lawsuits.⁷ Despite a reduction in prisoner lawsuits from 41,679 in 1995 (before enactment) to 25,504 in 2000 (after enactment), “prisoner civil rights and prison conditions cases still account for an outsized share of filings: From 2000 through 2005, such cases represented between 8.3% and 9.8% of the new filings in the federal district courts, or an average of about one new prisoner case every other week for each of the nearly 1000 active and senior district judges across the country.”⁸ The fact that thousands of prisoner cases continue to be brought each year demonstrates that the federal courthouses are still wide open to prisoner lawsuits.

These thousands of lawsuits are brought notwithstanding the caps on attorneys’ fees associated with such cases. Some of these suits are brought by attorneys *pro bono* or funded by charitable organizations. It is true that the 150% cap on fees means that, in cases in which prisoners recover \$1 in damages, their attorneys recover only \$1.50 from the defendant. Few if any litigants in normal circumstances would actually file a lawsuit where the damages suffered were worth only \$1, however, and it is appropriate to ask what the societal benefit from such a suit would be. Further, it is an open question why compensation for attorneys who bring such suits should be raised, when such a reform would serve only to increase the volume of such litigation. Preserving the opportunity for the filing of meritorious lawsuits has no obvious relation to the volume of lawsuits for nominal damages.

⁷ *Woodford v. Ngo*, 126 S. Ct. at 2388 n.4.

⁸ *Id.* and *id.* at 2400 (Stevens, J., dissenting).

There is a more subtle means by which the PLRA increases the likelihood that judicial relief will be provided in prisoner cases that actually have merit. When 25% of a court's civil docket consists of claims brought by prisoners who have relatively large amounts of free time but have not exhausted administrative remedies, the predictable result is the one that obtained before 1996: large numbers of lawsuits—well-founded and meritless alike—reviewed by a weary and increasingly unenthusiastic judiciary. In such circumstances, judicial consideration of even potentially meritorious cases will receive a jaundiced eye. Justice Robert Jackson's remark with respect to a similar category of prisoner cases more than half a century ago applies as well to prisoner civil rights cases before enactment of the PLRA: "It must prejudice the occasional meritorious application to be buried in a flood of worthless ones. He who must search a haystack for a needle is likely to end up with the attitude that the needle is not worth the search."⁹ Legitimate prisoner lawsuits must receive the judicial solicitude that they are due. The PLRA as enacted, in part by reducing the number of frivolous cases, has strengthened the quality of the prisoner cases that proceed to consideration on the merits, and has inevitably increased the chances that valid claims will succeed.

As previously noted, the PLRA was also enacted in part "to eliminate unwarranted federal-court interference with the administration of prisons."¹⁰ The law contains a number of provisions designed to advance this objective. For example, consent decrees establishing judicially enforceable prospective relief in prison condition cases are required to contain an admission of the violation of a federal right. It is one thing for the federal courts to maintain a supervisory role over prisons when established

⁹ *Brown v. Allen*, 344 U.S. 443, 532, 537 (1953)(Jackson, J., concurring).

¹⁰ *Woodford v. Ngo*, 126 S. Ct. at 2387 (citation omitted).

civil rights have been violated. It is another matter entirely when federal courts impose administrative requirements on prisons that are not based on any actual violation of federal law. Too often in the past, state officials would agree to consent decrees that did not purport to rest on any actual violations of federal law. This permitted those officials to deflect responsibility for prison conditions by blaming federal courts for onerous administrative rulings. The state officials who succeeded those who had entered into open-ended decrees frequently found that courts were unwilling to reopen the decrees even if no violations of federal law were occurring. Such a state of affairs is not consistent with either the appropriate judicial role or with constitutional principles of federalism.

It bears emphasizing that the PLRA does not discourage settlements in prison conditions litigation but narrows only the scope of consent decrees and other court-ordered relief. Settlements, as opposed to consent decrees, are not affected by the PLRA, and the Department has often obtained the relief that it seeks by entering into memoranda of understanding rather than consent decrees. Requiring courts to reconsider the continuing need for longstanding consent decrees and other court-ordered relief—as opposed to voluntary settlements—vindicates principles of accountability and federalism. Moreover, in the Department’s experience, deadlines actually serve the goal of state compliance with consent decrees, as state officials discover that such compliance will actually lead to the termination of those decrees. In the past, whether prison officials came into compliance with consent decrees often had little or no effect on whether courts would terminate them. In those circumstances, prison officials had no incentive to comply sooner rather than later. And since enactment of the PLRA, the Department has

construed the deadlines in a way to permit consent decrees to continue while courts and prison officials take reasonable steps to meet the deadlines for reviewing the decrees.

Once again, both as drafted and in practice, the PLRA works to secure prisoner rights. It also provides autonomy for prison officials to manage their facilities efficiently without judicial micromanagement unrelated to any actual violation of federal law.

Mr. Chairman, every law deserves congressional assessment of its operation and Congress's consideration of potential improvements. The PLRA, however, represents a well-considered congressional response to real problems that achieved its goals while taking care not to create new perils. Because it established a careful balance that the Department of Justice and the Supreme Court have taken care to maintain, the Act has reduced frivolous lawsuits and the unnecessary intrusion of the judiciary in the day-to-day operation of the nation's prisons while preserving the legal rights of inmates and their ability to obtain judicial redress for actual violations. The law should not be changed so as again to encourage the filing of the sort of frivolous lawsuits that the PLRA appropriately ended, with their negative effects on other civil litigants, prison officials, and judges, and their consumption of resources to no good end. It is simply not the case that all prisoner lawsuits uncover and remedy violations that would otherwise go unremedied or that more prisoner lawsuits are necessarily better than fewer. In fact, the history of such lawsuits before and after the enactment of the PLRA is just the opposite: Congress's reasonable restriction of these lawsuits has preserved the ability of legitimately harmed inmates to gain access to the courts and prevented the negative effects of frivolous cases in ever greater numbers.

Thank you, Mr. Chairman, for allowing me to appear before you today. I will be happy to answer any questions that you might have.



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Statement of Ryan W. Bounds Chief of Staff, Office of Legal Policy Department of Justice

Committee on House Judiciary Subcommittee on Courts, The Internet, and Intellectual Property

May 23, 2006

Mr. Chairman, Mr. Ranking Member, and other members of the Subcommittee, thank you for allowing me to testify before you today. My name is Ryan Bounds, and I am the Chief of Staff of the Office of Legal Policy in the Department of Justice. I will be presenting the Department's principal views on H.R. 435, the Equal Access to Justice Reform Act. The bill would radically expand the Government's liability for attorneys' fees under the Equal Access to Justice Act (referred to herein as "EAJA" or "the Act"). Most notably, the bill would require the Government to pay a prevailing party's fees even when the Government's position was "substantially justified" based on the facts and law at issue. The bill would also require the Government to pay a party's attorneys' fees even when that party did not prevail in litigation but merely obtained a settlement or voluntary change in the Government's position. In addition, the bill would make the Government liable for attorneys' fees at market rates well in excess of the current presumptive cap of \$125 per hour and would expand the universe of parties to whom the Government could be held liable for attorneys' fees under the Act.

I would like to begin by emphasizing that the Administration and the Department of Justice share the desire of H.R. 435's proponents to reduce the burden that frivolous lawsuits and unjustified litigation impose on small businesses and individuals. Just last year, for instance, the Administration supported and the President signed the Class Action Fairness Act and the Protection of Lawful Commerce in Arms Act. The Administration has similarly supported enactment of the Medical Liability Reform Act and asbestos litigation reform. The Department appreciates the Subcommittee's ongoing efforts to reform and to improve the civil litigation system and will continue to work with the Subcommittee and the full Committee to enact these important measures and others like them.

Notwithstanding the laudable goals of those who support this bill, the Department of Justice must oppose it. The enactment of H.R. 435 would trigger at least four negative consequences. First, it would impose additional costs on the Government by way of attorneys' fees and litigation expenses. Second, it would induce more private lawsuits against the Government, despite the fact that lawsuits are a notoriously inefficient and costly means of settling disputes. Third, it would deter agencies from applying existing law to novel situations, leaving gaps in the law as technology develops and practices change. Fourth, it would deter agencies from voluntarily settling with a party or changing their position after a lawsuit is filed (even in the face of compelling policy justifications for doing so).

These negative consequences would not be offset by any significant improvements in the way EAJA works. In fact, several of the circumstances that are cited as problems and relied upon as justifications for amending EAJA are inconsistent with the Justice Department's experience with the Act. We believe that, as currently written, EAJA has achieved its intended goal of making the judicial system more accessible to small businesses, non-profit organizations, and individuals of modest means. Contrary to the assertions of some critics, the Act has not led to significant collateral litigation over fees, because the Government must stand on the same justifications for its position that it offered in the primary litigation. The Act also has not precluded lawsuits in markets where fees necessarily exceed the statutory cap of \$125 per hour, because courts may and frequently do increase that cap to reflect increases in the cost of living and other special factors. Moreover, the Act does not typically allow a defending agency to escape the costs of its unreasonable conduct by defraying fee awards with monies from the Treasury's Judgment Fund. Indeed, the overwhelming majority of fee awards under the Act are paid out of the defending agency's appropriations. The current statute thus permits its intended beneficiaries to recover reasonable attorneys' fees directly from agencies that have acted without substantial justification and thereby deters agencies from acting unreasonably. In short, the Act largely fulfills its purpose.

In this testimony, I would like to canvas the most important changes that H.R. 435 would make to EAJA and explain why the Department expects those changes to be counterproductive.

I. Substantial Justification and Special Circumstances in Which Attorneys' Fee Awards Would Be Unjust

Subparagraphs 4(a)(1) and (a)(2) of the bill would amend the Act to allow prevailing parties to recover attorneys' fees against a Government agency even when the agency's position was substantially justified and when special circumstances otherwise make a fee award unjust. The Department very strongly opposes this aspect of the bill. In effect, it would make an agency liable for attorneys' fees without regard to how close the case is or how reasonable or wellintentioned the agency's position was.

This change would increase agency litigation costs at a time when agency budgets are becoming ever more tightly constrained. Although the additional costs cannot be estimated with any precision, the experience of the Office of Foreign Litigation ("OFL") may shed light on the bill's likely fiscal impact. OFL handles all foreign cases for the Department, and most foreign jurisdictions make the losing party pay attorneys' fees. From a partial analysis of OFL's records, it appears that fee-shifting increases the Government's costs of paying adverse judgments by approximately 15 to 25 percent in most cases. In some cases, of course, the marginal cost may be much greater. In one recent labor case in Italy, for instance, the payment to the attorney was nearly double the amount of the underlying judgment for the adverse party.

By making fee-shifting automatic, H.R. 435 would require fees to be awarded to a prevailing party even when the

Government was obligated to take a position in litigation and there was no controlling law, the law was unclear, or the authorities were divided. In this respect, the bill ignores the reality of Government litigation, which is that the Government must often take positions on new and ambiguous statutes and has to "build" the law by litigating the same issue in several circuits. The Government should not be required to pay attorneys' fees while it is in the process of resolving the scope of new laws or the application of existing laws in new areas. At the margin, such a requirement would simply deter the Government from enforcing the law in novel contexts and testing the scope of new statutes. Indeed, Congress provided for a "substantial justification" and "special circumstances" defenses under EAJA expressly because an automatic fee-shifting rule would have a "chilling effect on proper government enforcement efforts."

To the extent that the automatic fee-shifting rule established by H.R. 435 does not entirely deter the Government from enforcing the law in close cases and novel circumstances, it will induce private litigants to bring more lawsuits against the Government in those contexts. Indeed, that result seems to be the very aim of the provision to make it less expensive for private parties to litigate the propriety of the Government's position whenever they have some prospect of prevailing in court. As a result, this reform may increase the overall burden of litigation rather than reduce it.

In addition to these general considerations, the automatic fee-shifting rule provided for in H.R. 435 is likely to wreak havoc on the conduct of critical enforcement proceedings. Foremost among these are qui tam lawsuits to recover for fraud against the Government under the False Claims Act. Given the billions of dollars of taxpayers' monies lost to fraud and the integrity of the federal programs at stake, the Government simply cannot refuse to pursue complicated cases for fear of having to pay EAJA fees in every case it loses. Bringing the Government's resources and expertise to bear on these cases is vital: 95% of qui tam recoveries are in cases in which the Government intervenes. Moreover, Congress was so concerned with strengthening fraud enforcement under the False Claims Act that the 1986 amendments to the Act specifically provided that a prevailing defendant could recover legal costs from a private whistleblower in a qui tam case only if the court found the suit to be "clearly frivolous, clearly vexatious or brought primarily for purposes of harassment." 31 U.S.C. 3730(d)(3). It makes no sense to extend this level of protection to private whistleblowers while leaving the Government liable for uncapped EAJA fees in every unsuccessful qui tam case in which it participates. At least at the margins, this bill will deter the Government from intervening in close qui tam cases, even though it is exactly those cases in which the Government's expertise would be most valuable in exposing and recovering for fraud. Worse yet, prevailing defendants in these cases will predictably argue that the Government's having declined to intervene is not enough to protect it from liability for attorneys' fees under EAJA as amended by H.R. 435, because the private whistleblower brought the action in the name of and on behalf of the United States.

Eliminating the substantial justification defense is likely to undermine civil enforcement of immigration laws as well. Without that defense, the Government will face liability for potentially large fee awards in an unprecedented number of immigration cases. In one such case, *Kiareldeen v. Ashcroft*, 273 F.3d 542 (3d Cir. 2001), a terrorist alien prevailed on a habeas corpus petition after the Government attempted to remove him from the United States. The Government had relied on classified evidence, obtained by the FBI's Joint Terrorism Task Force, that suggested that the alien had been involved in the 1993 bombing of the World Trade Center and had made threats against the Attorney General. The district court not only granted the alien's habeas petition but awarded him attorneys' fees in excess of \$110,000 under EAJA. The Third Circuit reversed the award of attorneys' fees, holding that the Government had proceeded with substantial justification, but that outcome would not have been possible if H.R. 435 had been in effect.

Not every immigration case involves fees as high as those at issue in *Kiareldeen* (though fees will rise under H.R. 435), but eliminating the substantial justification defense will nonetheless have dramatic implications for civil immigration enforcement. The Department of Homeland Security's efforts to detain and remove illegal aliens from the United States gave rise to more than 14,000 cases in the last fiscal year as aliens challenged the legal justification for the Department's actions in the federal circuit courts. The volume of such challenges are likely to increase markedly if current efforts to amend the Immigration and Nationality Act are successful, because aliens and their attorneys will want to test the scope and meaning of the new provisions in the courts. Inevitably, the Government will lose some proportion of those cases even when the Department can point to a substantial but not ironclad justification for its position. By making the Government pay substantial attorneys' fees in those circumstances, which are pervasive in the

complex, politically sensitive, and constantly changing field of immigration law, H.R. 435 will either discourage attempts at robust enforcement or divert substantial resources from enforcement to paying for aliens' trial lawyers. Neither result is consistent with the aim of combating illegal immigration.

The elimination of the substantial justification defense would also directly affect the strength of the Social Security Trust Funds. Like immigration cases, challenges to Social Security decisions would constitute a significant portion of the litigation affected by H.R. 435. EAJA attorneys' fees in Social Security cases are paid from the Social Security Administration's administrative expense account, and that account, in turn, is proportionately funded by the accounts from which Social Security benefits are paid. Accordingly, the increased availability of attorneys' fee awards in Social Security lawsuits from awards in some successful lawsuits to awards in all successful lawsuits will simply increase the amount of funds that are diverted from the Social Security Trust Funds to lawyers for Social Security claimants.

In addition, the elimination of the substantial justification defense would serve as an incentive for claimants to file suit against the Social Security Commissioner in more marginal cases. Even assuming that the Government would prevail in all of these cases and thus avoid an increase in the numbers of fee awards (which is unrealistic), the increase in the number of lawsuits against the Commissioner would increase the resources devoted to defending against them. For cases challenging the denial of title II benefits, these administrative expenses would come from the Social Security Title II Trust Fund.

Although it may be argued that courts liberally award attorneys' fees against the Social Security Administration even under the current version of the Act, the existence of the substantial justification standard is important for settlement purposes. The existence of the defense increases the risk that prevailing claimants will not receive an award and thus gives them an incentive to settle for discounted fees. Although difficult to estimate exactly, the Social Security Administration believes these negotiated settlements result in significant savings. These savings would be lost if the substantial justification defense were eliminated. A similar effect is predicted to result in the diversion of scarce resources from benefits to administrative expenses and litigation in veterans programs as well.

Eliminating the substantial justification defense will have deleterious consequences in another area of litigation in which Congress should have a particular interest: constitutional challenges to federal statutes. In light of the separation of powers, the Department of Justice must defend the laws that Congress enacts if there is any reasonable basis for doing so. If a statute is ultimately invalidated by the courts, as statutes occasionally are, the repeal of the substantial justification defense under section 4 of the bill may result in the Government's having to pay attorneys' fees to prevailing parties. Consider *Gonzales v. Free Speech Coalition*, 408 F.3d 613 (9th Cir. 2005). In that case, a trade association of businesses involved in the production and distribution of "adult-oriented material" challenged certain provisions of the Child Pornography Prevention Act of 1996 (CPPA). Ultimately, the Supreme Court held that certain provisions were overbroad and unconstitutional. After the Supreme Court's decision, the Free Speech Coalition filed for attorneys' fees under EAJA. The District Court for the Northern District of California found that the Government was not "substantially justified in defending the CPPA because the "constitutional flaw in the CPPA was recognizable from the start" and awarded the Coalition \$143,243 in attorneys' fees. The Ninth Circuit reversed and held that the Government's position was substantially justified and that the Coalition was not entitled to EAJA fees. If that case had been decided under the automatic fee-shifting rule contemplated by H.R. 435, the pornographers' attorneys would have been paid by the Government rather than their clients. As this example demonstrates, the enactment of H.R. 435 will result in Congress's subsidizing challenges to its own statutes.

Finally, deleting the substantial justification defense would constitute a fundamental departure from EAJA's original purpose, the deterrence of unreasonable agency conduct. From its perspective as the Government's litigator, the Department of Justice believes this change is unwarranted and also in conflict with the requirement that fee awards be paid out of agency appropriations. To deter unreasonable agency conduct, the Act already provides that awards under 28 U.S.C. 2412(d) and 5 U.S.C. 504(a)(1) and (4) are to be paid from the defending agencies' own funds and not from the Judgment Fund. See 28 U.S.C. 2412(d)(4); 5 U.S.C. 504(a)(4), (d). In the absence of the substantial justification defense, however, EAJA becomes simply an automatic fee-shifting statute for all eligible parties that prevail in their

litigation against the Government rather than a deterrent against unreasonable agency actions. Consequently, no useful purpose is served by requiring an agency involved in litigation to pay a resulting fee award out of its own appropriations. If the substantial justification defense is eliminated, we believe that attorneys' fees should be paid from the Judgment Fund, as are the awards under other automatic fee-shifting statutes.

Rate Caps

Subsection 4(c) of H.R. 435 would eliminate the \$125-per-hour cap on attorneys' fees in both judicial and administrative proceedings. The Department of Justice is unaware of any empirical data indicating that meritorious actions are not pursued because of the cap on hourly rates, and the Department opposes repealing the cap for at least two reasons. First, eliminating the hourly rate cap to accommodate complex and high-risk litigation would not reflect other factors that affect compensation in civil litigation: the number of hours worked and the client's ability to pay. The Department believes it is rare that private sector lawyers are paid for 100% of the time devoted to a particular case particularly in large cases. Attorneys and clients negotiate bills down to a reasonable amount that the client is willing or able to pay. Additionally, attorneys make decisions about how much time to devote a particular issue or case based, in part, on what the client will pay. Under subsection 4(c), though, there would be little incentive to apply these market controls to Government litigation. Second, EAJA currently permits courts to award attorneys' fees in excess of the rate cap in two situations: First, a court can raise the hourly fee on the basis of the cost of living. Second, the court can raise the cap to accommodate a special factor, such as the limited availability of attorneys in a particular practice area. The Department believes that it is better to leave the amount of the hourly fee within the limited discretion of the court rather than burden the Federal agency with steep "market rates" for hourly fees. The rate cap strikes an appropriate balance between the benefits of allowing the recovery of attorneys' fees against the United States and the risk of runaway attorneys' fees where a litigant chooses to use highly paid and sophisticated attorneys to handle routine litigation against the Government.

In the Government's experience, courts routinely take advantage of EAJA's current discretionary authority to exceed the hourly rate cap. For example, the court held that an hourly rate in excess of \$125 per hour was justified based on an increase in the cost of living in *Former Employees of Tyco Electronics Fiber Optics Division v. U.S. Department of Labor*, 350 F. Supp. 2d 1075, 1093 (C.I.T. 2004). Other examples abound. See, e.g., *Dewalt v. Sullivan*, 963 F.2d 27 (3d Cir. 1992); *Masters v. Nelson*, 105 F.3d 708 (D.C. Cir. 1997); *Kerin v. U.S.P.S.*, 218 F.3d 185 (2d Cir. 2000); *Greenidge v. Barnhart*, 2005 WL 357318 (N.D.N.Y. 2005).

III. Payment from Agency Appropriations

Subparagraphs 4(f)(1) and (f)(2) would prohibit the payment of EAJA funds and expenses out of the "claims and judgments account of the Treasury from funds appropriated pursuant to section 1304 of title 31." This prohibition would apply both to adversary adjudications at the administrative level and to judicial proceedings. I should emphasize that, under current law, EAJA awards are paid from funds appropriated to the non-prevailing agency. Having said this, routinely awarding legal fees from a non-prevailing agency's budget can create perverse incentives for agencies to take the position least likely to result in litigation rather than the position best designed to implement public policy and the underlying statutory scheme. Even assuming that the number of EAJA applications remained constant, the lack of a substantial justification defense will result in fees' being awarded in a greater proportion of cases, and the lack of a rate cap will substantially increase the amount of awards when they are made. The resulting increase in liability for fees could have an enormous financial impact on already overburdened agencies. If these changes which the Department of Justice believes are unwarranted are imposed, then the awards should be paid from the Judgment Fund.

Additionally, as the Department has noted, under current law, both fees and expenses awarded under 28 U.S.C. 2412(d) and "bad faith" fees awarded under 28 U.S.C. 2412(b) are paid out of the agency's funds. In the Department's view, if either the substantial justification or the fee cap were eliminated, then the award should be paid out of the Judgment Fund. This additional change would create symmetry between subsections 2412(b) and (d) because, currently, fee awards under subsection 2412(b) (other than "bad faith" awards) are paid out of the Judgment Fund. See 28 U.S.C.

2412(c)(2), 2414. In addition, fees awarded against the Government under a host of other fee-shifting statutes (including the fee-shifting provision of the Clean Air Act) have historically been paid from the Judgment Fund.

IV. Tax Litigation

Subsection 4(g) of the bill would eliminate the provisions of EAJA stating that EAJA fees and expenses do not apply in cases where 26 U.S.C. 7430 (an Internal Revenue Code fee provision) applies. See 5 U.S.C. 504(f) and 28 U.S.C. 2412(e). By its terms, EAJA applies "[e]xcept as otherwise specifically provided by statute." 28 U.S.C. 2412(d)(1)(A). Elimination of subsection 2412(e) would not change the fact that 26 U.S.C. 7430 is a Federal statute providing for the award of fees, expenses, and costs in tax cases and that section 7430, rather than the EAJA, would continue to apply to tax proceedings. At a minimum, the elimination of this language calls into question whether section 7430 would remain the exclusive remedy for seeking fees and costs in tax proceedings, or whether a taxpayer would be permitted to pick and choose between the two statutes. Accordingly, the Department opposes the amendment to this provision.

Section 7430 was enacted to recognize that differences between tax proceedings and other civil actions to which the United States is a party justify different provisions for recovering litigation costs. For example, section 7430 sets out specific provisions for obtaining administrative costs that are beneficial to taxpayers and that do not appear in EAJA. Further, in recognition of the importance of the administrative process in resolving tax controversies, section 7430 includes a unique requirement that taxpayers exhaust administrative remedies in order to be eligible for an award. As explained in the legislative history of section 7430, the requirement to exhaust administrative remedies preserves "the role that the administrative appeals process plays in the resolution of tax disputes." H.R. Rep. No. 97-404, 97th Cong., 1st Sess. 13 (1981). In addition, there is a question as to whether EAJA even covers proceedings in the Tax Court. Thus, to the extent the proposed legislation purports to allow for the substitution of EAJA provisions in tax litigation, the proposed provisions may not be effective for Tax Court proceedings. In any event, the Department believes section 7430 should remain the exclusive remedy with respect to claims for costs in tax cases and that EAJA should retain the clarifying language in section 2412(e) to this effect.

V. Definition of Prevailing Party

Among other things, section 5 would overturn *Buckhannon Bd. & Care Home, Inc. v. West Virginia Dep't of Health & Human Resources*, 532 U.S. 598 (2001), by amending the definition of "prevailing party" found in 5 U.S.C. 504(b)(1) and 28 U.S.C. 2412(d)(2)(H) to recognize the "catalyst theory" as a basis for achieving prevailing party status. In *Buckhannon*, the Court rejected the catalyst theory (which the majority of circuits had endorsed) and held that a party can obtain prevailing party status only by obtaining a favorable judgment or relief through a consent decree or court-approved settlement. Under *Buckhannon*, a plaintiff who obtained relief only because the defendant voluntarily provided the relief that the plaintiff sought was not a prevailing party.

The catalyst theory had held sway for the previous 15 to 20 years because it had been embraced by almost all of the federal courts of appeals. The Supreme Court's rejection of the theory has reduced the Government's exposure to fee liability in a significant category of cases, however, and has spared the Government from litigating whether governmental actions outside of litigation but resulting in some relief to a particular plaintiff had been caused by that party's lawsuit. The legislative overruling of *Buckhannon* will restore those costs to Government litigation. Moreover, it will encourage attorneys to file claims that they normally would decline, because those attorneys will believe that the Government will pay something if they can prevail, settle, or achieve any change in the Government's conduct that allows them to claim catalyst status. It also would deter agencies from making voluntary changes that happen to benefit the claimant.

In addition to reducing the parties' incentives to settle court litigation, the combination of the elimination of the substantial justification defense with the enactment of the catalyst theory may negatively affect settlement of contract disputes or taxpayer litigation at the agency level. If any change in policy that is made after a lawsuit is filed can be a

basis for attorneys' fees, and there is no substantial justification defense, the incentive will be for contractors to avoid incurring fees and expenses in attempting to negotiate a resolution of a dispute with an agency prior to filing the lawsuit. Instead, the Department of Justice anticipates that many plaintiffs will simply file their lawsuits without delay so that they immediately accrue attorneys' fees that they may eventually recover.

In some circumstances, elimination of the catalyst theory will actually encourage and fund activists who seek to compel the Government to bring additional enforcement actions against individuals and small businesses. For instance, in *Conservation Counsel for Hawaii v. Norton*, a plaintiff brought suit in federal district court against the U.S. Fish and Wildlife Service, alleging that the Service's failure to take final action on a petition for the designation of critical habitat of seventeen species of Hawaiian forest birds constituted action "unlawfully withheld and unreasonably delayed" under the Administrative Procedure Act. Under a joint stipulation of dismissal filed with the Court, the parties agreed in 2001 to dismiss the case as moot without prejudice to Plaintiff's ability to seek attorneys' fees. Shortly thereafter, however, and before fees were agreed to, the *Buckhannon* decision was issued and the plaintiff withdrew its fee request. If the pre-*Buckhannon* approach of many appellate courts were statutorily reinstated, similar future plaintiffs would be able to recover attorneys' fees for suits seeking to prompt Government enforcement actions that might otherwise not be brought. Such a result would only add to the litigation and regulatory burden borne by small businesses.

A specific example of the application of the catalyst theory serves to demonstrate its adverse effects. The case of *Yacyshyn v. Principi*, No. 04-CV-2091 (N.D. Ohio), arose from an initial effort by the Department of Veterans Affairs to report a doctor to the National Practitioner Data Bank, which consolidates reports on doctors who lose or settle medical malpractice cases or are subjected to discipline by State licensing boards. The District Court denied the Department's motion to dismiss a lawsuit filed by the doctor and ordered discovery. In the meantime, the Department completed its review of the doctor's conduct and decided not to make the report, thereby mooting the case. The doctor was represented by a large law firm, and under H.R. 435, the EAJA award would have been well over \$100,000. After objecting to dismissal unless attorneys' fees were paid, however, the doctor's counsel reviewed *Buckhannon* and willingly abandoned the attempt to obtain fees. Under H.R. 435, the doctor would have recovered attorneys' fees for government action that was not driven by litigation, making his unnecessary lawsuit free to him but expensive to the United States.

VI. Conclusion

H.R. 435 would increase the risks of litigation for the Government, chill legitimate enforcement activities, prolong lawsuits, induce additional lawsuits, and impose huge costs on agency budgets. The Department of Justice strongly opposes this legislation. Thank you for the opportunity to present the Department's views. I am now ready to answer any questions you may have.

LOAD-DATE: May 24, 2006

United States Senate
Committee on the Judiciary

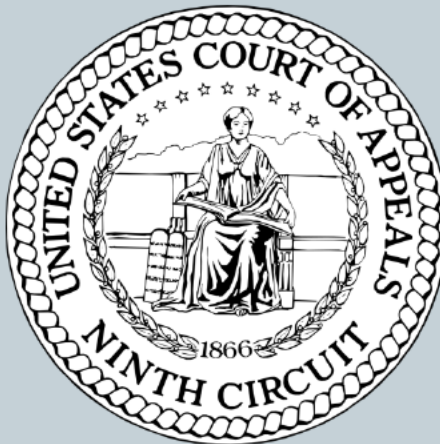
Questionnaire for Judicial Nominees
Attachments to Question 12(d)

RYAN WESLEY BOUNDS
Nominee to be United States Circuit Judge
for the Ninth Circuit

Increasing Access To Appellate Justice In The 21st Century



APPELLATE BREAKOUT SESSION
2017 NINTH CIRCUIT JUDICIAL CONFERENCE



Obstacles to Accessing Appellate Justice



Costs of Appeal: Representation Fees

- \$135,000 in fees for appellant in civil case
- \$59,000 in recoverable fees under EAJA
- The average CJA appeal representation ranges in fees alone from approximately \$5,000 (for a simple plea/sentence appeal) to \$15,000 (for an appeal from a post-trial judgment)

Obstacles to Accessing Appellate Justice



Costs of Appeal: Filing Costs

- Docketing fee: \$505
- Attorney admission fee: \$230
- Cost of creating the record
 - Ordering reporter's transcripts
 - Printing, copying, and delivering paper copies to the Court
 - An ER can be 300 pages or several volumes, depending on the case – up to \$75 to produce one paper copy of a single volume

Obstacles to Accessing Appellate Justice



Costs of Appeal: Travel Costs

- Travel and lodging for oral argument
- Examples
 - Government counsel from Nevada spends approximately \$640 per argument on travel costs
 - Government counsel from Montana spends approximately \$1,100 per argument on travel costs
 - Private law firm counsel from Washington, D.C. spends approximately \$2,500 per argument on travel costs
 - R/T flight from Missoula, MT to Seattle is \$350 to \$600. The least expensive (but not terrifying) hotel room in Seattle in August is around \$240. A one-night trip, including food and transportation, is around **\$700.**
 - R/T flight from Tucson, AZ to San Francisco is around \$300. The least expensive (but not terrifying) hotel room in SF in August is around \$225. A one-night trip, including food and transportation, is around **\$650.**

Improving Access to Appellate Justice



Measures for Reducing Costs

- More focus letters
- Earlier submission on the briefs
- Reducing paper copies due to increased reliance on electronic copies
- Oral argument video conferencing

Video Teleconferencing



What is a video teleconference (VTC) oral argument?

- Video technology used to allow attorneys and judges to appear remotely, allowing all participants to hear and see one another
- Professional VTC equipment used by attorneys must be tested and approved by Court A/V technicians

Video Teleconferencing



How is VTC used?

- Used regularly to allow remote appearance by judges unable to travel
- Used by permission of panel in very limited circumstances to allow remote appearance by attorneys: last minute weather and medical emergencies, prohibitively high travel expenses
- In 2016, there were only 5 VTC and 5 TC arguments

Video Teleconferencing in the Courtroom



The image the attorney presenting by video sees.



The courtroom video system in use.

Video Teleconferencing Systems



Benefits of professional VTC systems over computer and device based ‘video chat’ technologies:

- Better cameras with improved contrast, resolution and light-sensing capabilities
- Better sound with sophisticated ‘echo-cancelling’ reduces audio issues
- ‘Standards based’ interoperability with other video systems means long term equipment life; 7-10 years or more
- Improved network Quality Of Service can provide more reliable communications with better video and sound



Video Teleconferencing



Benefits of expanded VTC use:

- Fees and cost savings from reduced travel and lodging would improve access to the Court and reduce incentive for seeking submission on the briefs
- Increased utilization of VTC would reduce the Court's own expenses
 - In 2016, the judiciary spent more than \$36,000 on airfare alone for CJA lawyers

Video Teleconferencing



Benefits of expanded VTC use:

- Increased remote argument would ensure argument could be heard where the alternative would be rescheduling or submission on the briefs
 - Inclement weather
 - Counsel's illness and family emergencies
 - Counsel's conflicting obligations rendering travel cost-prohibitive or impractical
- Broader availability of VTC would facilitate participation by counsel with physical disabilities (temporary or permanent) on whom the barriers of travel and accessing facilities fall most heavily

Video Teleconferencing



Potential practical downsides of expanded VTC use:

- May diminish seriousness or significance attached to appellate oral argument
- May hinder judges' ability to assess demeanor/credibility of oral advocate
- May de-personalize oral argument experience by eliminating opportunity to build rapport with others in the courtroom
- Could pose logistical challenges when sign language or other interpreters are needed, particularly when combined with technological hiccups

Other Circuits' Remote Argument Policies



Third Circuit

Local rule allows for VTC argument and provides notice to parties of this option. To be eligible, parties must file a joint motion.

Sixth Circuit

Allows for teleconference argument by local rule.

Tenth Circuit

Court designates certain CJA cases for VTC argument. Parties in other cases may move to allow VTC argument. Counsel generally appear in the local district court to participate by VTC.

** At least the Second and Eighth Circuits have also held remote arguments on isolated occasions in the past, without a formal policy. Some CA and ID state appellate courts also permit remote argument.*

Other Circuits' Remote Argument Policies



Third Circuit's notice to counsel:

NOTICE AVAILABILITY OF VIDEO-ARGUMENT

The United States Court of Appeals for the Third Circuit permits oral argument by videoconference to our primary location in Philadelphia from our locations in Newark, NJ and Pittsburgh, PA as well as district courts that have compatible videoconferencing equipment.

If you are scheduled to argue in Philadelphia and are interested in video conferencing your argument, a joint motion of the parties is required at least seven days prior to your scheduled court date. Video-argument is at the discretion of the panel, and is dependent upon the availability of equipment and staff.

If the parties wish to submit a joint request for video-argument, counsel shall file a motion via CM/ECF.

For the Court,

A handwritten signature in black ink that reads "Marcia M. Waldron". The signature is written in a cursive, flowing style.

Marcia M. Waldron, Clerk

Dated: December 2, 2013

Other Circuits' Remote Argument Policies



Tenth Circuit's detailed instructions on video arguments:



INFORMATION AND INSTRUCTIONS FOR THE PRESENTATION OF ORAL ARGUMENTS BY VIDEOCONFERENCE

In order to reduce the cost of litigation for attorneys and their clients, the United States Court of Appeals for the Tenth Circuit offers the option of presenting oral arguments by interactive videoconference.

The court may designate a certain number of criminal and prisoner appeals on an oral argument calendar for videoconferencing. Although, appeals designated by the court for videoconferencing will generally be appeals in which both sides are represented by government attorneys or private attorneys paid by the government, counsel in any civil or criminal appeal arising from a district that is able to support videoconferencing may request leave to present oral argument by videoconference.

Interactive videoconference is virtually equivalent to a personal appearance before the court; nevertheless, if your case is designated for videoconference and you believe there are compelling reasons why argument should not be presented by videoconference, you may file a motion under Fed. R. App. P. Rule 27.

If your case is one designated for the presentation of oral argument by videoconference, the clerk of the court of appeals will notify you and tell you when and where to report for argument. Generally, you will be told to report to the district court clerk's office.

have a question," whereupon you should immediately stop speaking and listen for the question. Thus you will hear the entire question and be able to formulate your response.

Here are some other tips that may help you in presenting your argument by interactive videoconference:

- **Act Natural**--The panel judges will be able to see and hear you just as if you were presenting your argument in person.
- **Make Eye Contact**--Since the camera is located on top of the monitor, by looking at the judges on the monitor, you will make eye contact with them.
- **Use Your Normal Voice**--The podium microphone and system speakers will pick up and transmit your voice as clearly as if you were arguing to the judges in person. There is no need to speak louder or slower than you would in a normal courtroom setting.
- **Avoid Exaggerated and Unnecessary Gestures or Movement**--Remain standing behind the podium. If you move away from the podium, you may be out of camera range and not visible to the panel judges. While normal gesturing can enhance your videoconferenced argument, extreme or exaggerated hand and arm movements can be even more distracting than when arguments are presented in person.
- **Dress Conservatively**--Remember you're a TV star. Just as on television, some colors are better than others (whenever practicable avoid white or vivid colors) and bold patterns may cause a strobe effect.
- **Avoid Unnecessary Noise**--Noise such as caused by tapping on the podium or shuffling papers may be transmitted through the system to the panel judges, thereby making it difficult for them to hear or concentrate on your argument.

The court of appeals is pleased, through the cooperative efforts of the district courts in the circuit, to be able to offer this technology and hopes that you will find it provides an effective and efficient way for you to represent the interests of your clients and, at the same time, reduce the burdensome costs of litigation.

Judges on the monitor and hear them through connected speakers. By means of similar equipment installed in the Denver courtroom, the panel judges can see and hear the arguing attorneys.

During your argument, you may detect a fractional second delay between the time words are spoken and the time they are heard at the remote conference site. This could cause you to continue speaking, thereby missing the first word or two of a question posed by a panel judge. The court is exploring enhanced technology which will eliminate this transmission delay. In the meantime, the problem can be minimized by some simple protocols. Judges will preface their questions by a warning remark, such as "counsel, I

Proposals for Improving Access to Justice



- Adopt a Circuit Rule or General Order allowing for the filing of a motion to appear by VTC and establishing standards and conditions for such a motion.
- Adopt an internal practice to delay the call for paper copies of briefs and excerpts until/unless requested by the Court in specific cases at some later point in the process (inventory or calendaring)
- Modify existing circuit rules to permit double sided paper copies for briefs and/or excerpts
- Adopt an internal practice to encourage more focus letters (to enable attorneys to be more efficient in their preparation for argument, and to make the oral argument more helpful for the panel) and, likewise, earlier submission orders (to avoid unnecessary costs of advocacy prep and non-refundable travel expenses)

Proposals for Improving Access to Justice



How about a Circuit Rule or General Order fostering uniformity in decision making on VTC requests and largely settling expectations as to when VTC oral argument would be permitted? To begin your discussions, we offer the following language for your consideration:

A request to present oral argument by video teleconference shall be made by motion filed after the receipt of notice of assignment of an appeal to a particular argument calendar, and may be granted upon a showing of good cause, subject to testing and approval by Court staff of the teleconferencing equipment to be used by the attorney. Such motions shall be accompanied by a declaration setting forth the specific reason(s) giving rise to good cause. A motion for oral argument by video teleconference shall be made as soon as possible after the case is calendared and the movant becomes aware of the need to substitute live attendance at oral argument with an appearance through video teleconference. Motions made later than 14 days before the scheduled hearing are discouraged and may be granted only if the movant sufficiently demonstrates exigent circumstances.