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NAS...UPDATE

THE NEWSLETTER OF THE NATIONAL ASSOCIATION OF SCHOLARS

FOR REASONED SCHOLARSHIP IN A FREE SOCIETY

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NAS Refutes Diversity Rationale

The NAS attracted national media attention this spring with its release of *Race and Higher Education: Why Justice Powell's Diversity Rationale for Racial Preferences in Higher Education Must Be Rejected* (available online at www.nas.org/rhe.html). The 163-page study was co-authored by **Thomas E. Wood**, executive director of the California Association of Scholars, and **Malcolm J. Sherman**, professor of mathematics and statistics at the State University of New York, Albany.

In *Race and Higher Education*, Wood and Sherman explain why the U.S. Supreme Court's Bakke decision in 1978 provides no legal authority for the diversity rationale often offered in support of preferential admissions; show that the diversity rationale has never been embraced by the agencies that accredit American colleges and universities; review professional survey data demonstrating that professors and students unequivocally and overwhelmingly reject racially preferential admissions policies; and examine why the diversity rationale has become closely linked to radical versions of multiculturalism and identity politics that are incompatible with the traditional conception of liberal education and the traditional classical understanding of civil rights.

Receiving the most attention has been a lengthy section of the study that we released separately in early April, titled *Is Campus Racial Diversity Correlated with Educational Benefits?* An affirmative answer to this question is now the mantra of those who claim to speak for higher education. To highlight the significance of Wood and Sherman's detailed statistical and methodological analysis of this empirical question, we

held a press conference on April 4 at the National Press Club in Washington, D.C., at which the co-authors briefed the media on their findings.

In this part of our study, Wood and Sherman thoroughly debunk the assertion of a statistically demonstrable connection between racial diversity and educational benefits. In doing so, they conclude that the University of Michigan is distorting and misrepresenting the research findings at issue in *Gratz v. Bollinger*, the undergraduate

Continued on page 4

Conference 2002 Set for Washington, D.C.

Our nation's capital has been chosen as the site of the Tenth National NAS Conference. From May 31 through June 2, 2002, we will meet at the Washington Marriott, 1221 22nd St., N.W., Washington, D.C. 20037, which many members will remember from the spring of 1996, when the Sixth National NAS Conference was held at the same locale. The exact theme of the conference has yet to be determined, but it will almost certainly capitalize on the Washington setting to address aspects of the relation between the federal government and higher education.

We were fortunate to obtain a room rate of \$135.00, single and double, for the conference, as well as for a few days before and after, allowing for an extended stay in Washington. Instructions for making room reservations will be provided in the next *NAS Update*. Please set aside May 31 through June 2, 2002 and plan to join us next spring. Ω

OUTLOOK

Finding Academic Leaders Who Can Lead

by Stephen H. Balch, President

It starts as a routine academic story. Professor Linda McCarriston of the University of Alaska, publishes “Indian Girls,” a poem addressing the sexual abuse of American Indian women. One of her students, taking offense, complains to administrators. Off-campus activists join in the hue and cry. The result: instead of standing firmly for free speech, campus officialdom crumbles, making anxious noises about “referring” the case for review and “reporting back” findings. Another professor, once confident of her rights, is left twisting in the wind.

But then an astounding denouement. Appeals to the system’s president Mark Hamilton bring not the standard equivocation, but a ringing vindication of the beleaguered professor and free speech in general. “I insist we remain a trumpet on this most precious of constitutional rights,” he declares—advising his subordinates “that responses to complaints or demands for action regarding constitutionally guaranteed freedoms of speech cannot be qualified.” Standard forms of verbal weaseling, such as “the university supports the right of free speech but we intend to check into this matter,” or “the university supports free speech but I have asked Dean X or Provost Y to investigate the circumstances,” are also roundly condemned. “There is nothing to ‘check into,’ nothing ‘to investigate,’” Hamilton insists.

Hard to believe? No doubt. But true all the same.

In a day and age when campus newspapers are regularly trashed for offending the “sensitive,” heterodox speakers shouted down and dissident professors harassed, all while administrators cower, or even give encouragement, Hamilton’s bold pronouncement is a memorable departure, reminding us that it is still possible to brave the campus foes of intellectual freedom and defend the life of the mind. For liberty’s sake, America desperately needs other academic leaders who can do as he. Without them generations of students will continue to enter the world convinced that harassment and intimidation are acceptable political tactics.

To be sure, President Hamilton isn’t cut from common academic cloth. A retired major general (as well as a sometime poet), he’s the product of an organizational culture that still takes values seriously.

And for all the Army’s hierarchical organization, it is probably more tolerant of intellectual diversity than many of our campuses.

Cut now from Alaska to several states around the nation, such as New York and Virginia, where reform-minded university trustees are looking for presidents, provosts, and deans of principle and strength. No easy task theirs, in view of the long-standing vetting of administrators to favor the PC compliant. This vetting reflects an unfortunate *modus vivendi* developed over several decades between campus radicals and many academic administrators. In return for tolerating PC harassments, and ceding activists’ power over certain departments and programs, administrators can buy themselves a measure of professional peace. Moreover, they get to use activist-favored policies such as harassment codes and “sensitivity training” to expand their own bureaucratic sway. Habituated to advancement through appeasement, most career administrators are no longer able to vigorously defend intellectual freedom, academic excellence, or anything else campus radicals oppose.

What then are reformers to do? Hiring only generals seems an extreme solution, and, no doubt, in most cases, unsuitable as well. What is feasible, however, is to substantially expand the standard pool of candidates when top academic posts are to be filled. More, for example, could be usefully drawn from the spheres of business, science, law, and government, where PC vetting is weaker than in academe. There are certainly businesspeople, lawyers, and political leaders as broadly cultivated as the average scholarly specialist, and entirely capable of mastering the academic ropes. “Lay” university presidents, of course, are not now unknown, but their numbers could be discerningly multiplied.

An even more innovative turn would be toward the ranks of the teaching faculty, where, in some quarters at least, the fires of enlightened idealism continue to burn. With care, one can still find charismatic teachers gifted with the eloquence, understanding, and toughness needed to stand up to campus zealotry. These are far better requisites for providing the uplift our campuses now require than the fund raising, public relations, and management skills on which searches

typically center—each of which, if necessary, can be delegated to subordinates. If called upon to deploy their inspirational abilities in the wider campus setting, some of our best professors would respond with enthusiasm.*

But wherever trustees seek fresh talent, their core search criterion must be a dedication to free and reasoned debate. This is the acid test, not only out of present necessity, but because it is as good an indicator of a generalized commitment to excellence as is likely to be found. Although this dedication has not wholly vanished among current ranks of academic management, looking beyond the usual suspects is imperative if more leaders like Mark Hamilton are to be discovered.

**Imagine someone like Alan Kors ascending to a university presidency. Alan's organization, the Foundation for Individual Rights in Education, played the key role in bringing the McCarriston case to Mark Hamilton's attention, and has won an impressive string of victories in other campus battles for free thought and due process. As a university president, his courage, eloquence, and principle would quickly put the forces of zealotry to rout. Alan may be unique, but with some diligent searching the ranks of the faculty could turn up more than a few reasonable facsimiles. Ω*

Massachusetts Affiliate Activities

During the spring semester, the Massachusetts Association of Scholars hosted four informal receptions in the Greater Boston area for noted academics. On January 26, **John McWhorter**, Associate Professor of Linguistics at the University of California at Berkeley, addressed the subject of his recent book, *Losing the Race: Self-Sabotage in Black America*. Professor **Alan Wolfe**, Director of the Boisi Center for Religion and Public Life at Boston College, on February 11, took as his topic, “Why Academics Don’t Like Pluralism.” **Paul R. Gross**, Professor Emeritus of the University of Virginia, spoke on March 18 about the three new examples of “High Volume Anti-Science.” On April 7, **Justus Reid Weiner** talked about “A Tale of Two Frauds” and the public dishonesty of Columbia Professor Edward Said. All four events were well attended and a variety of diverse opinions were presented at each. Part of the credit for organizing these events goes to **Ed Cutting**, newly-appointed executive director of the MAS and a graduate student at the University of Massachusetts at Amherst.

The light of academic reason also brightened both ends of the Commonwealth this year. At Harvard University, Professor **Harvey Mansfield** gained national attention by announcing that his students would receive two grades, one based on the standards

currently in effect at Harvard, and a second based upon what Dr. Mansfield thought the student deserved. A hundred miles to the west, **David K. Scott** announced his resignation as chancellor of UMass Amherst, a university once described as “the most politically correct in the country,” leaving open the likelihood of a positive change of direction under new leadership at the state’s flagship campus, given the disposition of UMass President **William Bulger**.

Also at UMass Amherst, students were able to invite **David Horowitz** and **Ward Connerly** to speak on campus—without incident or disruptions. Such unmolested presentations would have been unthinkable only three years ago, when UMass students and staff “drowned out” Connerly as he attempted to speak at nearby Amherst College. Ω

Resignation of Senior UC Administrator Follows California Affiliate’s Complaint

When an investigation revealed that University of California Vice President for Education Outreach **Alex Saragoza** had retroactively enrolled two football players in a class they never attended to make them eligible for the fall 1999 football season, the California Association of Scholars issued a strongly-worded condemnation of the practice and called for the vice president’s resignation. The Pacific-10 Conference recommended that the football team be placed on a one-year probation and that it be penalized by reducing the number of scholarships it could grant.

Initially, University of California President **Richard Atkinson** disciplined Saragoza by suspending him without pay from teaching during the fall 2001 semester. The CAS pointed out, however, that this action was hardly a punishment, as Saragoza retained his administrative position. Citing a betrayal of public and academic trust, the CAS continued to push for Saragoza’s resignation.

In late April, Saragoza resigned from the post that had made him the highest-ranking Latino in the UC system. The *California Aggie*, in its report of the departure, wrote, “Earlier, the California Association of Scholars pressured Atkinson to remove Saragoza from his administrative position.” The *Daily Californian*, in a staff editorial, mentioned as factors in Saragoza’s demise an internal athletic department investigation, possible sanctions from the NCAA, and “consistent pressure from a loose coalition of...UC professors.” UC Irvine Vice Chancellor for Student Affairs **Manuel N. Gomez** was named as Saragoza’s interim replacement. Ω

preferential admissions case now being litigated in federal court.

Michigan's defense of its preferential policies is based on a supposed positive relationship between "racially diverse" student bodies and educational benefits. The University, fighting a lawsuit brought by applicants rejected because of their race, contends that the proof of such a relationship can be found in American higher education's most prestigious database, UCLA's Comprehensive Institutional Research Project (CIRP). They also contend that these benefits are sufficient to meet the "compelling state interest test," the demanding requirement that the Supreme Court has decreed any race-conscious government policy must meet. The University won with these arguments in federal district court, whose ruling is now being appealed.

Our study shows that the CIRP database in fact refutes Michigan's empirical claim, revealing no educationally significant correlation between racial diversity and educational outcomes. This key point was grudgingly conceded in an article in *The Chronicle of Higher Education* on May 18, 2001 by none other than **Alexander W. Astin**, CIRP's founder and a strong advocate of racial preferences. [For another article on our study, see "Challenging the Racial Diversity Argument" in the April 26, 2001 issue of *Black Issues in Higher Education*.]

On May 14, we filed an amicus brief (available on our website at www.nas.org) in the U.S. Court of Appeals for the Sixth Circuit supporting a reversal of *Gratz*. We argue that the district court erred in finding that Michigan provided "solid evidence" for the claim that campus racial diversity is related to significant educational benefits. Our brief relies on *Race and Higher Education* to show that all available evidence, including the very evidence relied upon by the University of Michigan, refutes the notion that campus racial diversity is positively correlated with specific educational benefits. We also argue that the district court's determination that student racial diversity is a compelling governmental interest is based on constitutionally invalid assumptions firmly and repeatedly rejected by the Supreme Court of the United States.

The NAS affiliates of Virginia, Maryland, and the District of Columbia combined their talent and their might to file a joint amicus brief (available at www.nas.org) in *Gratz*. The affiliates' brief also mounts an empirical critique of the evidentiary basis of Michigan's claims about the educational benefits of diversity, relying on a recent study by Robert Lerner and Althea Nagai for the Center for Equal Opportunity (available at www.ceousa.org).

We wish to express our deep appreciation to attorneys Brice Claggett, Oscar Garibaldi, and Keith

Noreika of the Washington office of Covington and Burling for their *pro bono* assistance in preparing the NAS's amicus brief. We also want to thank Thomas Wood and Malcolm Sherman for their many excellent contributions to the brief's argument. Ω

Delaware and Pennsylvania Affiliate Presidents Publish Op-Eds

When a *Wilmington News Journal* editorial attacked the Delaware Association of Scholars on April 6, 2001, DAS president **Jan Blits** countered with an op-ed. The editorial, which supported the University of Delaware's race-based hiring plan, under which faculty positions would be created for minority candidates passed over for existing positions, claimed that the DAS had "a vested interest in keeping down the number of minority colleagues." In an op-ed on May 5, 2001, Blits sharply criticized the *News Journal's* characterization as filled with misunderstanding and distortion. He made clear that the DAS believes in the principle of nondiscrimination and objects to the University's policy as illegal and unwise. The preferential hiring plan is "a clear violation of federal and state civil rights laws," Blits wrote, and unwise because its patronizing approach is likely to chase away the very minority candidates the University wants to attract.

In Pennsylvania, PAS president **Richard Orodenker** wrote an op-ed for the *Philadelphia Inquirer* on May 12, 2001 lamenting actions taken at Pennsylvania State University, where African-American students protested hate letters and death threats directed at members of black students' organizations by making demands on the administration for new programs and construction. Orodenker criticized university president Graham Spanier for giving in to the protesters' demands for an "Africana" research center, plans to hire additional black faculty, and more scholarship money for African-American students. The writer of the hate letters is sick, Orodenker observed, but the problem will not be solved by greater diversity initiatives. "We are freed from biases," he wrote, "when higher learning becomes grounded in values that encourage intellectual balance and rational debate on contemporary issues."

Orodenker was again in the news when he participated in a June 4, 2001 panel discussion on affirmative action on "It's Your Call With Lynn Doyle." Appearing with Orodenker on the Comcast Cablevision show, which airs in Philadelphia, New Jersey, Delaware, and Maryland, were **Burton Caine**, former president of the ACLU, **Kevin Martin** of Project 21, and Rev. **William Rutherford**, New Jersey chapter president of the NAACP. Ω

Minnesota Scholars Issue Statement and Report

The Minnesota Association of Scholars objected to a pending settlement reached in December 2000 by the Minnesota State Colleges and Universities System (MnSCU) in response to a class action suit brought by female faculty at St. Cloud State University (SCSU), who alleged that they were paid less and passed over for promotions because of their sex.

According to MAS executive director **William F. Meehan III**, there is no demonstrated pay disparity that needs to be rectified. "This settlement distributes pay increases to women on the basis of gender, and that plainly discriminates against male faculty," says Meehan. "Instead of rectifying discrimination, such an action actually creates discrimination where none, apparently, had existed before."

The MAS was granted permission by Federal Judge **Donovan Frank** to object to the pending settlement in *Fish v. St. Cloud State University* at the hearing on March 16, 2001. Meehan presented the affiliate's position, urging the court to amend the settlement to permit all faculty members (men as well as women) to apply for pay increases according to a fair, sex-neutral formula. "To grant pay increases to women only, and to withhold them from similarly situated men," said Meehan, "would appear to be a clear case of reverse discrimination." Frank ruled from the bench, upholding the settlement, which will pay the female faculty at SCSU \$830,000.

Active in another arena as well, the MAS on June 14, 2001 released a report titled *Caught Short: General Education Requirements at Nine Minnesota Public Universities*. At a press conference in the State Office Building in St. Paul, Meehan, the study's author, presented a summary of his findings to reporters. Former Minnesota Governor **Arne H. Carlson**, who wrote the foreword to the report, was also in attendance.

The report reveals that all nine Minnesota public universities are deficient in their general education requirements. At the four campuses of the University of Minnesota (Twin Cities, Duluth, Morris, and Crookston) and at five campuses of the Minnesota State Colleges and Universities system (St. Cloud, Bemidji, Mankato, Moorhead, and Southwest), students can be handed diplomas without any exposure to fundamental areas of learning. The only subject areas all nine universities require is science. Only seven of the universities require math, only four history, only two fine arts, only one literature, and only one philosophy. Not one university requires a foreign language beyond the elementary level.

Meehan writes that general education requirements are so lenient that Minnesota students, instead

of taking courses of fundamental significance, can select from a smorgasbord of highly specialized, trendy, or watered-down courses. The report goes on to list the many exotic courses that can be taken for general education credit, from "Language and Sexual Diversity" at Twin Cities to "Learning to Learn" at Morris to "Swimmercize," "Step Aerobics," and "Flexibility through Yoga" at Southwest. At several campuses, participation in the band, choir, or orchestra counts as general education credit, while at Mankato intercollegiate sports count.

Concluding that Minnesota universities do not deliver the liberal education they promise, Meehan proposes the creation of a task force to seek ways to remedy weaknesses in their delivery of general education. To obtain a copy of the report, send \$7.50 (check payable to MAS) to Bill Meehan, MAS, 387 Portland Avenue, St. Paul, MN 55102. Ω

Indiana Scholars Hold Kick-off Meeting at Hudson Institute

On May 29, 2001, the newly-constituted Indiana Association of Scholars held its first meeting at the Hudson Institute in Indianapolis, drawing about thirty members from throughout the state. The meeting began at 7:30 p.m. with an after-dinner reception at the Herman Kahn Center, courtesy of the Hudson Institute. Following remarks by IAS president **Robert Heidt**, Hudson Institute president and NAS board of directors' member **Herbert London** spoke. London introduced NAS president **Stephen H. Balch**, who welcomed the new affiliate, highlighted the problems facing modern higher education, and updated members on the activities of the NAS nationally. Ω

NAS Mourns Passing of Monroe Lerner

The National Association of Scholars mourns the passing on May 1, 2001 of Dr. **Monroe Lerner**, one of its founding members and past president of the Maryland Association of Scholars. Monroe, who was emeritus professor at Johns Hopkins University School of Hygiene and Public Health, dedicated a large portion of his professional life to the preservation of scientific research standards and intellectual freedom. His friendship, decency, and collegiality will be long remembered by all who had the pleasure of working with him. Monroe's family has suggested that those wishing to commemorate his life and ideals do so by making a donation in his name to the National Association of Scholars. Ω

Vermont Affiliate to Hold July Conference

The Vermont Association of Scholars will hold a conference in Burlington on July 14, 2001 on *Teaching and the Life of the Mind: Improving Teaching and Teacher-Training*. A morning panel will cover "Autism and the Life of the Mind," followed by an address by Professor **Rita Simon**, president of the Women's Freedom Network. At the luncheon banquet, NAS president **Stephen H. Balch** will make remarks and Dr. **Sandra Stotsky** of the Massachusetts Department of Education will deliver the keynote speech. An afternoon panel will deal with "The Great Books and the Life of the Mind."

The \$40 registration fee covers all sessions, a seated banquet luncheon in the Radisson's private dining room overlooking Lake Champlain, and morning and afternoon snacks. If you would like to register for the conference, send a check made out to the Vermont Association of Scholars to **Ginger Potwin**, 87 Radio Drive, Randolph, VT 05060. For further information about the conference, contact Dr. **Laurie Morrow**, at lpmmorrow@aol.com, or at (802) 229-9208. [Ω](#)

Kansas Scholar Starts Primary Texts Certificate Program

Laurie M. Bagby, associate professor of political science at Kansas State University (KSU), has organized and gained approval for an undergraduate Certificate in the Study of Arts and Sciences Through Primary Texts. To earn the certificate, students must take at least 18 credit hours in select courses, most of them already in existence, that study primary texts. As the proposal made its way through the approval process, the original name of "Great Books" was replaced with "Primary Texts" as a better reflection of the program's focus and a way of avoiding the resistance often encountered to use of the "Great Books." As testimony to the breadth of the program, it offers courses from most of the departments in the college, including mathematics and the sciences.

Having been named director of the program, Bagby then secured a grant of approximately \$17,000 from the Earhart Foundation for start-up costs and for hiring professors to develop courses fitting the program's criteria. Although the program is not directly sponsored by the Kansas Association of Scholars, Bagby is secretary of the KAS, and was helped in her efforts by KAS president **Marsha Frey**, among other individuals at KSU. [Ω](#)

Recent Events

OHIO ASSOCIATION OF SCHOLARS

Date: June 1, 2001
Event: Annual Meeting
Place: Ohio State University Faculty Club
Participants: Carole Anderson, Dean, School of Nursing; Stephen H. Balch, NAS president; Stanley Rothman, NAS chairman; Edward Crenshaw, professor of sociology, OSU; George Dent, OAS president
Topic: *Open Forum on the Diversity Action Plan*

MINNESOTA ASSOCIATION OF SCHOLARS

(sponsored by Intercollegiate Studies Institute)

Date: June 13, 2001
Event: Annual Dinner
Place: William Mitchell College of Law
Speaker: Candace de Russy
Topic: *Barbarism on College Campuses*

OREGON ASSOCIATION OF SCHOLARS

Date: June 19, 2001
Event: Luncheon and lecture
Place: Burton's Sunnybrook Restaurant
Speaker: Richard A. Zeller, Bowling Green State University
Topic: *Finding Another Way: Using the Internet at the for-profit Yorktown University to get Politically Incorrect Ideas into the Curriculum of Higher Education*

Nebraska Association of Scholars Hosts Regional Conference

Members of NAS affiliates from Colorado, Iowa, Kansas, Minnesota, and Nebraska met on Saturday, May 19, 2001 at Bellevue University in Bellevue, Nebraska for the Great Plains Regional Conference on the State of Higher Education. Hosted by the Nebraska Association of Scholars, the conference began with NAS president **Stephen H. Balch**'s welcoming speech, which was followed by five morning panels. **Christina Hoff Sommers**, the luncheon keynote speaker, took as her topic her recent book, *The War Against Boys: How Misguided Feminism Is Harming Our Young Men*. Five more panels were presented during the afternoon, plus a concluding panel on the history of NAS affiliate activities. Participants included Colorado Association of Scholars' president **E. Christian Kopff**, Iowa Association of Scholars' president **Donald P. Racheter**, Minnesota Association of Scholars' executive director **William F. Meehan III**, and Nebraska Association of Scholars' president **Edward A. Rauchut**. [Ω](#)

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