

existent in civil society as they are in the state of nature. Madison cogently remarked that:

[J]ustice is the end of government. It is the end of civil society. It ever has been, and ever will be pursued, until it be obtained, or until liberty be lost in the pursuit. In a society under the forms of which the stronger faction can readily unite and oppress the weaker, anarchy may as truly be said to reign, as in a state of nature where the weaker individual is not secured against the violence of the stronger.⁹

But justice can never be simply the sum of the various claims to preference made on behalf of the various groups in society. The claims themselves must be moderated by a sense of the public good—at a minimum, the claims must be informed by a concept of self-interest rightly understood. But the rights mania that prevails today has no regard for the community. Madison taught us that justice is the necessary ingredient of liberal democracy; without it there is no hope of avoiding majority faction. Donohue reminds us in a very timely and useful fashion of the importance of Madison's lesson. We may blithely go about our business of extending rights, only to find that in the end we have become the slaves of our own passions. No self-governing and free people can be ruled by "the tyranny of their own passions."¹⁰ It almost goes without saying that the morality of today's new freedom has nothing to do with self-government. Liberation is the submission to tyranny under the guise of freedom. Donohue sees this clearly. His insight is all too rare—among academics it is virtually non-existent.

THE HOLLOW MEN: POLITICS AND CORRUPTION IN HIGHER EDUCATION. By Charles J. Sykes.¹ Washington, D. C: Regnery Gateway. 1991. Pp. xii, 356. Cloth \$19.95.

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Although its author mercifully refrains from quoting those overused lines of Yeats, this book brings to mind the ones about the

9. *Id.* at 352.

10. Federalist 63 (Madison) in Cooke, ed., *The Federalist* at 422, 425 (cited in note 4).

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best lacking conviction and the worst being full of passionate intensity.³ The depressed and depressing condition of American higher education that Charles J. Sykes describes—pervasive and unabashed politicization, sustained assault on standards of excellence and scornful repudiation of the ideals of free expression and disinterested scholarship—has become widely familiar, thanks to the recent spate of books and journalistic accounts of the phenomenon broadly known as “Political Correctness” (PC). At least viewed from Sykes’s traditionalist perspective, it does indeed appear to be a situation wherein the “best”—presidents and other administrators, trustees and many faculty members—seem to lack sufficient conviction or courage to oppose the “worst.” The latter, as Sykes describes them, consist of left-radical faculty, reinforced by student activists and sometimes aided by sympathetic administrators, who avidly promote such causes as deconstructionism, multiculturalism, Marxism of various hues, feminism and a specious kind of “diversity,”⁴ and who for the most part share a passionate contempt for the ideal of the university as it has been molded by a millennium of the history of Western civilization, contempt that often extends to that civilization itself.

Sykes provides a depressing catalogue: ideologically motivated fragmentation of curricula, jettisoning or deconstruction of works comprising the ceaselessly condemned canon, assigned reading lists composed on the basis of authors’ race, class or gender, thoroughgoing moral and intellectual relativism and subjectivism, endless capitulations to those threatening or actually engaging in obstructive demonstrations, vandalism and occasionally personal violence. These are all by now so well known even to readers of the popular press that Sykes’s book can hardly qualify as a muckraking work.

Sykes’s stance is both polemical and ideologically *engagé*. Therefore, readers not sharing the author’s highly traditionalist values will tend to dismiss his broadly drawn indictment out of hand, as little more than the whining of a conservative white male responding to a threat to his privileged position. Even those not put off by Sykes’s point of view, but who lack personal knowledge of what has been taking place on campus, might question whether his

3. W.B. Yeats, *The Second Coming* (1921), st. 1., in Daniel Albright, ed., *W.B. Yeats: The Poems* 235 (J.M. Dent & Sons, 1990).

4. As Professor Harvey Mansfield has noted:
It doesn’t seem to occur to those who demand more diversity in the universities that the most important diversity is not in race or sex or class but in opinion. Indeed, the ideal of the diversity-mongers seems to be a cosmopolis of all categories of society’s victims where everyone says the same thing in unison, like the Coca-Cola ad.
Harvey C. Mansfield, *The State of Harvard*, 101 *The Public Interest* 113, 120 (Fall 1990).

treatment of higher education is any more balanced and fair than was, say, Upton Sinclair's treatment of the meatpacking industry several decades ago. Fairness and balance, in the sense that the abuses excoriated should be representative rather than isolated aberrations, is obviously crucial in assessing something as complex and variegated as American higher education.

Sykes himself concedes that the destructive occurrences and tendencies he decries have had little impact on disciplines such as business administration and the natural sciences, and have left virtually untouched a substantial number of institutions he singles out for praise, where the liberal arts tradition he so much esteems still flourishes. Some academic readers will experience annoyance when they reflect that, for every horror story he relates and every professorial villain he indicts, there remain so many faculty colleagues who do honest and worthwhile scholarship, teach excellent classes and also manage to shoulder burdens of committee assignments and other forms of institutional service.

My second reservation stems from Sykes's implicit assumption that, until things began to go wrong a decade or so ago, American universities were molded by a coherent kind of cultural conservatism one might associate with a Matthew Arnold or a Cardinal Newman. Long before the serpent of politicization entered the garden, however, they showed few signs of monastic aloofness from concerns agitating the larger society and little resistance to tackling pressing problems of the day. Arnold and Newman, it can safely be assumed, would have been as much dismayed by the emergence of land-grant universities, with their vast array of extension services, to say nothing of the grotesqueries associated with big-time intercollegiate athletics, as by the depredations wrought by the New Left and its epigone.

Giving both these caveats their full due, however, few reasonable observers would disagree with Sykes about the gravity of the assorted ills presently afflicting higher education in this country. The Orwellian doublespeak and concealments practiced in the interest of race-conscious hiring and admissions have corrupted the quality of debate and honesty of discourse on these and other important topics. Expression of many ideas, most notably politically conservative and morally traditionalist ones, is discouraged and occasionally outright punished. Courses, even entire programs and departments, become committed, unofficially but no less effectively, to upholding one or another approved ideology, nearly always of leftish hue. Complaisant administrators give militant "activists" monopoly status as the sole authentic spokespersons for "victim"

groups they claim to represent. Customary standards of academic rigor, both as applied to faculty scholarship and student work, are often adjusted or suspended lest they imperil the advancement or self-esteem of members of favored categories. Some faculty no longer trouble to conceal—in fact proudly assert—that both their scholarship and their teaching are extensions of their personal political commitments. Inverting arguments that were until recently used in South Africa to justify educational apartheid and that were once used in this country to justify separate institutions for men and women, it is not infrequently asserted that white men are inherently unqualified to assess the qualifications and performance of women or minorities.

The risk is less that undergraduates will be indoctrinated or somehow subverted than they will emerge from their studies poorly educated, lacking in cultivation, and with their analytical powers little enhanced, if not actually impaired. As Allan Bloom argued in *The Closing of the American Mind*,⁵ the experience of what currently passes for a liberal arts education is most conducive of a cheap, glib moral relativism, an aversion to careful reading, painstaking thought and careful articulation of ideas, plus large expanses of plain ignorance. The lack on the part of liberal arts graduate of any sense of vital connection with the philosophy, art and letters of Western civilization will seldom be compensated for by any genuine cosmopolitanism or depth of understanding of non-Western cultures. Students majoring in the social sciences, to say nothing of such ideologized, factitious subjects as women's or ethnic studies, graduate even more culturally and intellectually impoverished than their liberal arts counterparts. Overall, this reviewer is inclined to agree with Sykes that the situation is almost unrelievedly dismal, with few saving graces or discernable gains to offset so much that has been either incidentally abandoned or deliberately jettisoned.

Sykes devotes nearly three-quarters of this book to an extended chronicling of what he calls the "Deconstruction of Dartmouth," an institution that seems to have been a victim of unbelievably bad luck or bad judgment at critical junctures—not to mention some of the most virulently ideological individuals ever to obtain faculty appointments at any major academic institution.

By way of causal explanation, Sykes lays heavy and predictable emphasis on the influx into academia, both as faculty members and administrators, of so many '60s vintage student radicals, whose vision of academic life has remained vehemently politicized. These are individuals who, in varying degrees, tend to be emotionally and

5. Simon & Schuster, 1987.

intellectually disaffected from most salient traditions of the West, predictably antagonistic to the purposes and policies of the United States government, especially under Reagan and Bush, implacably hostile to authority and criteria of value, with few scruples about using their influence over appointments, tenure, promotion and curricular content to advance their loudly proclaimed revolutionary agendas. Even though as faculty members or administrators they have attained the status of insiders, many of them continue to instigate or participate in those nostalgically recalled features of '60s-style campus life: teach-ins, sit-ins, obstructive demonstrations and building occupations.

Yet, the number of faculty and administrators answering the above description constitute only a fairly small minority at most institutions. Why did this vocal minority succeed in effectuating so many sudden and important changes in institutions? In his earlier book, *ProfScam: Professors and the Demise of Higher Education*,⁶ Sykes undertook to supply part of the answer by reference to a development pre-dating the '60s. He there described the movement, beginning in the 1930s and gathering force in the two decades following World War II, away from the long-cherished ideal of the academic humanist as one who both embodied and transmitted, primarily to undergraduates, the essential core of the Western literary and philosophical traditions, instructors whose teaching and personal cultivation were founded upon a broad grounding in a widely accepted canon of great works. While professors of literature might specialize in seventeenth-century metaphysical poetry, or historians in tax collection under the *ancien regime*, liberal arts professors were all expected to be sufficiently grounded in the history and major works of Western civilization to be capable of inspiring students with its highest achievements and inculcating in them its most enduring values. This at least was the professed ideal. While the reality often must have fallen short, this ideal was nonetheless a potent force in shaping curricula and fostering broadly espoused norms of academic life.

In *Profscam* Sykes argues convincingly that the coherence and vitality of American academic humanism were seriously undermined well before the political onslaught of the 1960s. They were weakened by what Sykes identifies as the hyper-specialization that overtook the humanities as they succumbed to the false paradigm of the natural sciences, with their emphasis upon graduate work, intense specialization, and original research. This irresistible attraction of academic science led, in Sykes's view, to an atrophication of

6. Regnery Gateway, 1988.

the unified humanist vision and ideal, and thus to the plethora of Ph.D. dissertation topics so easily ridiculed for their narrow, sterile pedantry.

Thus, when the '60s radicals directed their salvos at academic humanism, they encountered an already weakened bastion whose defenders even then betrayed a palpable loss of self-confidence. Even if its assailants seemed a bit uncouth, even quite barbarous when provoked, they might, if politely admitted to the inner sanctum, bring with them some badly needed new points of view, some fresh air, and thereby dispel some of the mustiness resulting from ever more arcane theorizing and overly precious critical interpretations.

There was also a failure of political nerve. During the critical decades following World War II, the political values of the vast majority of American academics, especially those at leading institutions, were of the liberal sort perhaps best epitomized by Adlai Stevenson. As Professor Mansfield has also noted, the Stevensonian orientation toward public life and policy has, in the course of the last two or three decades, suffered a number of traumatic shocks. Many of its adherents, both within and without the academy, have been left unable to defend what until quite recently would have been regarded as bedrock principle.⁷ The liberal policy of "containment" inspired the Vietnam War, and then was lacerated by it, a trauma from which Stevensonian liberalism has never fully recovered.⁸

7. Rosovsky and Bok claim to welcome change, but in fact they are satisfied with the status quo. It is, to repeat, a nervous satisfaction, because the pre-sixties liberalism they stand for is dead on its feet.

Today, unfortunately, liberalism is surrendering to the radicalism of the sixties . . . Rosovsky and Bok are not radicals; they have opposed the radicals on many important points. . . . But . . . they have yielded essential ground that a university must occupy if it wants to remain itself: the possibility of devotion to truth.

Mansfield, 101 *The Public Interest* at 113, 122 (cited in note 4).

8. It is nowadays sometimes forgotten, but it was largely that confident, buoyant "Vital Center" liberalism that presided over the Golden Age of American universities during the two decades following World War II. It was, of course, intensely committed to secular rationalism, unfettered inquiry, scholarship it asserted to be objective and disinterested; to civility, decorum and a meritocratic elitism in the academy. It longed for the day, which finally seemed to arrive, when the "Best and the Brightest," largely drawn from Harvard and Yale, would be represented in the Cabinet, and when leading academic figures would serve as counselors to the president. The great projects of Stevensonian liberalism were to achieve a stable world order by "containing" Communist aggression without all-out war, to moderate the unemployment cycle and reduce poverty, and to purge the nation, emphatically including the universities, of the residual conventions and prejudices that, among other things, denied opportunities to minorities and, as somewhat later discovered, to women. Given their facile vision of the relationships between institutions and human nature, it seems never to have occurred to these liberals that, once the barriers denying access to minorities and women were benevolently and belatedly removed, many of the latter would be displeased, even angered, by what they encountered. For them to have entertained any doubts on that score would have been too much at odds with the universalist pretensions of 1950s liberalism, and

The point that needs to be underscored more than Sykes does is the striking degree to which the crisis of American universities has mirrored the ongoing crisis of American liberalism. Yet, what little remains of authority in academia is still vested in faculty and administrators whose "gut instincts" were formed by that creed, most specifically by its 1950s vintage. Except for a scattering of libertarian, market-oriented economists, there is scarcely any conservative presence on most campuses, especially on the humanities and social science faculties that are really the focus of this book. The few isolated cultural conservatives who do hold faculty positions are well advised to keep their heads down. With such rare exceptions as Donald Kagan, Dean of Yale College, most of them do, at least on matters of university governance.⁹

Two other recent major developments in American academic life are highly germane to Sykes's theme but not explored in enough detail. The first of these is the astonishing expansion of the concept of academic freedom. What was once taken to be a special, but carefully circumscribed freedom, has become transformed into a doctrine of nearly total individual autonomy and license to devote even entire courses to pushing the instructor's personal ideological perspective. Traditional obligations of detachment and objectivity were initially repudiated at the level of the individual instructor, and later at the level of entire programs and departments. This is most true of courses dealing with currently controversial issues, including nearly anything relating to "gender," race or ethnicity, sexual orientation, the domestic and foreign policies of the United States, civil rights, discrimination and affirmative action. This new freedom does not, however, extend to those who might espouse, or even be perceived as espousing, conservative or traditionalist points

would have compromised its posture of indignant opposition to notions it dismissed as reactionary about any supposed organic connections between gender or ethnicity on the one hand, and culture and modes of intellect on the other. A notable irony in much of what Sykes recounts in this book is that it has taken radical feminists and multiculturalists to confront the now considerably chastened liberals, still in control on most campuses, with the problematics of such connections.

9. One important effect of Stevensonian liberalism on American universities was nearly to reverse the meaning of the word "Veritas" as it appeared in so many of their mottos. The understanding of truth, especially moral truth, would no longer be taken to refer to something that was possessed, largely as a legacy from the past, to be conserved and passed on intact to succeeding generations, and would henceforth be understood as something to be endlessly sought for, but by definition never found. Not only did that redefinition imply a certain Sisyphus-like futility about the core function of universities, it has also committed faculty and others charged with their governance to a posture of moral skepticism as a matter of professional ethos. The only firm commitments still regarded as legitimate have almost solely to do with certain procedural norms.

of view, even when these might be thought appropriate to the materials being studied.

How can faculty get away with this kind of behavior? When confronted by outrageous "non-negotiable demands," why don't university administrators—such as Dartmouth's hapless former president, David McLaughlin, appointed by its trustees in the expectation he would restore order to that beleaguered institution—respond by telling them, in so many words, to go to hell?

The reason is that on most campuses authority has been fragmented to the point of near destruction. While universities and colleges are still nominally governed by trustees or equivalents, these have been for the most part neutralized and rendered fecklessly impotent, most emphatically so with regard to such matters of academic substance as curricula and faculty appointments. This has been facilitated by a second important and fairly recent development: the insistent claim to sovereign authority on behalf of what is referred to as "faculty governance." The recent evolutions and extensions of the concepts of faculty governance and academic freedom occurred in strikingly parallel fashions. Both can legitimately claim venerable lineages. In their earlier formulations, both served salutary purposes. However, just as academic freedom has been hypertrophied into a near absolute, unqualified by its traditional limitations and correlative obligations of self-restraint, faculty governance has burgeoned into something akin to a latter-day absolutism. Its practical effect is to confer on faculties as collegial bodies an almost total immunity from accountability to either administrators or governing boards.¹⁰

As a practical matter many faculties appear to act as though they owned the institutions they are appointed to serve. Although usually greatly outnumbered by old-fashioned liberals and moderates, radical faculty frequently control the campus agenda and effectively become *the* faculty and therefore the ultimate embodiment of the new-styled academic authority. The explanation for this ability to dominate is not far to seek. While many liberal, moderate and apolitical faculty discreetly regret much of what happens under radical impetus, they are far less willing than are the radicals to devote

10. Campus activists, both faculty and students, have long since come to well understand the enormous leverage they have gained when ability to fend off turmoil, adverse publicity and possible loss of donor or taxpayer support become controlling considerations in the selection and tenure of university presidents. With very rare exceptions, most administrators sooner or later learn, and the sooner the better for their career prospects, to align themselves, rhetorically and in decision making, with the activist avatars of PC, "sensitivity," "multiculturalism," "diversity," ideologically inspired programs, and gross politicization, much in the fashion of the egregiously opportunistic current president of Dartmouth, James Freedman.

great amounts of time to university politics, tend to be less adept at in-fighting, and are often repelled by the high voltage atmosphere of faculty politics today. Along with opportunistic administrators, prudent moderate and liberal faculty can hardly escape observing that the way most conducive to the modicum of peace and quiet they desire more than anything else is simply to relinquish the field to their radical colleagues.

Sykes's principal recommendation is that those who nominally govern universities return to doing so in fact. Trustees and the like should select stronger presidents, then back them to the hilt. Administrators should insist upon traditional standards in teaching and scholarship and, when necessary, deal firmly with faculty who violate them. Sykes would, in other words, go far towards restoring the much more hierarchical structure of university authority, as it existed until a few decades ago.

Sykes's proposals in this regard strike this reviewer as too optimistic and unduly simplistic. He is too optimistic in assuming that majorities of today's governing boards would agree that the traditionalist views Sykes espouses constitute sound academic policy. He is also too optimistic in supposing that trustees have the backbone to withstand the abusive rhetoric of radical faculty, to resist extravagant incantations of academic freedom, or to risk serious disruptions on campus. The newly elected, traditionalist-minded trustee, initially determined to see that things are set right, is soon brought to heel by worries about bad publicity, loss of donor support, and unwillingness to undergo personal vilification. Appointment as a university trustee does not, after all, carry with it a hazardous-duty salary supplement.

Sykes appears to suppose that American universities both can and should remain essentially untouched by the profound changes in American society that have surrounded them. Many, however, would argue that they could not have survived, much less flourished, had they remained basically the same sorts of institutions they were as late as the 1950s, prior to the movements toward racial and gender equality. The influx of women into higher education has meant that their perceptions and demands could not be ignored. Likewise, the insistence that minority students must be included across-the-board in higher education was and is so morally compelling that no program of academic restoration giving even the least hint of hostility toward these developments can hope to gain serious consideration or influence.

The tragedy presently afflicting American higher education is not that many curricular changes have occurred or that some spe-

cial solicitude has been extended to hitherto excluded or under-represented groups. Rather, the tragedy is that leftist ideologues have been so successful in seizing upon the openings accompanying these developments. This has thrown up daunting challenges for conservatives, both within and outside the academy, as well as for old-fashioned liberals who still comprise the "Vital Center" on most campuses. Although the outcome is by no means yet foretold, the conservative response has to date been disappointingly inadequate. This book is certainly not unhelpful or beside the point, but falls short of the quality of analysis and proposed reformulation so urgently needed.

ETHICS, POLITICS AND THE INDEPENDENT COUNSEL: EXECUTIVE POWER, EXECUTIVE VICE 1789-1989. By Terry Eastland.¹ Washington, D.C.: National Legal Center for the Public Interest. 1989. Pp. xii, 189. Paper, \$10.95.

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The independent counsel statute, enacted in 1976 in the aftermath of Watergate and modified somewhat in 1983 and 1987, is one of the innovations of our apparently permanent regime of divided government. As Terry Eastland notes in passing, the statute reflects the belief on the part of a Congress controlled by Democrats that an executive branch controlled by Republicans cannot be trusted to investigate allegations of misconduct by highly placed officials in that branch. Eastland questions the need for an independent counsel statute, its wisdom on balance even if there is some problem of "conflict of interest," and its constitutionality (notwithstanding the Supreme Court's decision, over the lone dissent of Justice Scalia, that the statute is constitutional).

Eastland properly locates the independent counsel statute in the history of what he felicitously calls "the politics of ethics." Examining notable instances of alleged wrongdoing by high executive officials from 1789 to Watergate, he argues that ordinary pressures of politics have always been strong enough to produce forthright and vigorous investigations where they were warranted. Even Watergate itself, the impetus for the enactment of the statute, con-

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