



By Naomi Schaefer

The Big Snooze:

How College Trustees Are Failing Their Universities

"A bloodless civil war." That's what the *Atlanta Journal and Constitution* calls the controversy at Auburn University in Alabama, where faculty, students, and alumni are struggling with the university's board of trustees. The trustees, their opponents claim, are micromanaging everything from the football program to the school's construction plans. A president has been fired, a head coach forced out, and a \$2 million donation lost, all because of the meddling trustees. But what really makes the story of Auburn University stand out against the backdrop

of higher education today is that its trustees are paying any attention at all to what is going on at the institution supposedly in their charge.

At most schools, as Richard Baer, a professor in the Natural Resources Department at Cornell University, attests, the trustees are out to lunch. A few years ago, Baer was approached by six religious students from the University's College of Human Ecology. The students complained to Baer that in their class discussions of family, sexuality, and euthanasia, the views

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of religious students were caricatured or ignored altogether. Diversity, at least the intellectual kind, was absent. So Baer, who had a reputation for supporting religious students, offered his assistance.

After helping them compile a thorough report on their classroom texts and other course materials, Baer tried to present the report to various administrators up and down the chain of command. He eventually turned to the school's Board of Trustees. "They didn't want to talk about it," Baer explains. "It's very risky for one trustee to do this because you will get a lot of opposition from the faculty and administration."

Steve Weinstein, who served as a trustee for Rowan College in New Jersey from 1990 to 1997, had a similar experience. "When you become a trustee," he explains, "you are inculcated with the sense that your job is to support the administration." In Weinstein's case, this meant that he and the other trustees were expected simply to rubber-stamp any proposed budget handed down from the school administration. Instead, Weinstein argued, during his time on the board, that the budget is not just an annual statement, "it's a policy document." Weinstein believes the board should use the budget as a "way to look further ahead than just one year." Sharing this belief, some boards of trustees have become involved in

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debates over tuition rates. But, as Weinstein, points out, they are only touching the tip of the iceberg.

During Weinstein's tenure as chairman of the board, Rowan received its largest gift yet, \$100 million. Here was an opportunity, Weinstein decided, "to figure out what we wanted to be. Some suggested we should use the money to make ourselves into a more elite institution. Others thought that's not what a public college is for." Weinstein wanted the gift to serve as an occasion for the board to look into issues like tuition hikes, faculty tenure, and the school's curriculum.

But as soon as the board members tried to discuss any of these issues at their meetings, they were met with "real opposition from the faculty." "The faculty were afraid that somehow our decisions could affect their lives," Weinstein says.

Elsewhere as well, faculty opposition seems to be one of the main reasons trustees are reluctant to get involved in a university's affairs. Jerry Martin, the president of the American Council of Trustees and Alumni (ACTA), worries that "trustees will dive into the financial but they are skittish about the academic. The faculty always says the latter is their domain." Still, the fact that few trustees hold advanced academic degrees makes them doubt their own qualifications to debate issues

The College of Your Dreams?

rite papers about sexual fantasies. Visit strip clubs. Watch an instructor have sex. All the while earn units toward graduation—at the University of California at Berkeley.

A party organized for a "male sexuality" class was held in the home of some of the course's instructors after the class's year-end outing to a strip club.

"There was an orgy at one of the parties," said Christy Kovacs, a U.C. Berkeley freshman, who took a male sexuality class last semester. "And after we went to a strip club, at the party, people took pictures of their genitalia."

Partygoers could go into the bathroom and take anonymous Polaroids of their genitalia and then place them in a box. Later, people at the party would try to match the Polaroids to the person.

Some of the instructors said no one was pressured into taking the pictures, which they called a "party game." The party was organized to better acquaint students taking the class, but attendance was not mandatory, they said.

Though people may tend to focus on some of the "hard-core" elements of the class, students are given the chance to discuss issues about sexuality that they feel are important, said Morgan Janssen, a student instructor of male sexuality.

Similar to the male sexuality course, the female sexuality class also visits a strip club and teaches a section on pornography and erotica. Both classes are offered by the Women's Studies department.

The purpose of teaching pornography in the class is to tell students that it is OK to watch porn, said Kim Brodsky, an instructor of one of the courses and a recent graduate.

Last fall, a group of students in the male sexuality class chose to do their final project on a trip to a gay strip club.

Although some people are glad they took the class, they acknowledge that it may not be for everyone: Having their nipples sucked during a field trip to a strip club and watching instructors strip or have sex at clubs are among activities that may deter some students.

Of course not all. And the ones that had enrolled for the newest Male Sexuality class are surely disappointed that the course was, finally, suspended by administrators due to uncomfortable questions raised by the *Daily Californian*.

From reports by Brittany Adams and Steve Sexton, writers for the student newspaper the *Daily Californian*.

Animal House By Mark Pulliam

The nation's leading law schools are teaching the "best and the brightest" that human beings are no better than dogs and pigs, and maybe worse. This is the pernicious credo of the "animal rights movement," the vanguard of which has infiltrated the ivy-covered walls of academia.

Fringe movements supported by a fanatical minority become legitimate only when they are recognized by the establishment. Unfortunately, American law schools are uncritically providing the imprimatur for the movement's radical goals. Equating poultry production to the Holocaust is, in a word, nutty. Arguing that laboratory rats and barnyard animals should be given the same legal rights as humans borders on irrational. Yet the Rutgers University School of Law in New Jersey (the official state-supported law school) has established an Animal Rights Law Project that promotes as its mission the recognition "that animals should be thought of as *persons* under the law."

In addition to Rutgers, "Animal Rights Law" is taught at Hastings (University of California in San Francisco), UCLA, Georgetown, Duke, Michigan, Vermont, and Yale law schools. Northwestern School of Law of Lewis & Clark College in Portland, Oregon publishes a student-run scholarly journal called *Animal Law*. Recent articles include *Dismantling the Barriers to Legal Rights for Nonhuman Animals* and *Animal Custody Disputes: A Growing Crack in the "Legal Thinghood" of Nonhuman Animals*. You know a legal movement has arrived when it has its own legal publication.

The nation's most prestigious law school, Harvard, got off to a slow start but is rapidly catching up. Harvard Law School did not offer a course in animal rights law until 2000, several years after the subject became vogue. When Harvard does something, however, it's first-class. The inaugural instructor was Steven Wise, a practicing animal rights lawyer whose book, *Rattling the Cage: Toward Legal Rights for Animals*, has been described as the animals' Magna Carta. Harvard bragged in a press release that students taking the course will discuss "whether legal rights should be limited to humans and, if not, what non-human animals should be entitled to them under the common law, and to which legal rights they should be entitled." The press release went on to explain that the course "will examine in detail the arguments for and against the entitlement of chimpanzees and bonobos to the common law rights to bodily integrity and bodily liberty." Students at the most distinguished law school in the country will learn legal arguments to liberate monkeys from zoos and scientific research facilities.

The "Animal Law Seminar" offered by Georgetown University Law School addresses the thorny issue faced by lawyers who represent animals in court: Since animals can't communicate, and aren't (yet) allowed to bring lawsuits in their own name,

how do lawyers claim to act on their behalf? The Georgetown curriculum guide assures that "a significant portion of the course will address and discuss standing, a potential problem facing those who seek to litigate on behalf of animals and those who seek to protect them." The Hastings College of the Law in San Francisco recognizes in its course description for Animal Law that "the legal changes effected by practitioners in the field of animal law have implications for developing concepts of tort law, environmental law, criminal law, Constitutional law and even wills and trusts." Talk about an understatement. If the legal status of animals were transformed from mere property to full "personhood," as the movement advocates, our society would be turned upside down. But not to worry; students at Hastings will be taught how to "address a broadened integration of the realities of animals and society with the particularities of the law."

What should observers make of all this? First, sometimes, as here, only educated people can believe something too foolish for anyone with common sense to accept. Second, just as courts revolutionized the fields of tort law and product liability, Constitutional law, and civil rights law, one can expect activist judges to pave the way to a legal status for animals.

Third, we ought to be concerned that influential and respected institutions have joined forces with People for the Ethical Treatment of Animals and other extremist groups. Animal rights law is not law in any meaningful sense; it is social engineering of the most reckless and indefensible sort, without any basis in history, culture, tradition, experience, logic, or practical necessity. What, then, is the impulse for elite law schools to take up this absurd cause?

It is surely not to equip law students to provide legal services to any paying client in the real world. Will Bonzo call to challenge the curfew law? Will Dumbo want to sue for discrimination and harassment under the Americans with Disabilities Act? The only explanation for the teaching of animal rights law is that the legal system has run amok, the legal academy has become an ideological sandbox, and the legal professoriate is at play.

Parents, don't let your children grow up to be lawyers, and don't subsidize this pedagogical travesty by footing the bill. Alumni, pay attention to what is happening at your alma maters and voice your opinion if you object to what is taught. If necessary, stop supporting your law school financially. And pre-law students, read the law schools' course catalogs carefully before you enroll and begin writing those tuition checks. The schools to which you are applying may think you are no better than a monkey. Prove them wrong.

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