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Hackney, Sheldon: Humanities Chairman Nomination Hearing (1993): News Article 10

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A Presidential Nomination? Forget It.

Nominees are now routinely subject to a public trashing.

If the president calls to say that he will nominate you for a job subject to confirmation by the Senate, just say no.

The president's call should be a cause of great personal satisfaction. Presidents don't offer nominations to just anyone. That he has offered you an important position in his administration shows that a lifetime of hard work has paid off. Your achievements are known even to the president of the United States. Thank the president profusely for the honor. Then just say no.

Why risk the reputation you have worked so hard to earn by subjecting yourself to what can become of presidential nominees? All that you have worked a lifetime to build can be wiped out in the months that will pass between your nomination and the confirmation that may or may not follow.

First you will submit to the administration details about the most intimate aspects of your life. Have you ever smoked dope? How about your sex life? What clubs do you belong to? Then, if officials in the administration feel that you are not an obvious embarrassment, your files will be turned over to the FBI for a background check. That means that the FBI will make house calls on at least three dozen of your neighbors, friends and business associates.

What the FBI uncovers is supposed to be confidential. Don't count on it. Your file will be reviewed by the administration and then by at least one member of each party in the Senate. College-age drug use, while generally not a cause of disqualification, may be leaked to the media to the humiliation of you and your family. The fact that public disclosure of FBI files is a violation of both federal law and Senate rules should be of no comfort to you. Determined opponents are not deterred if leaking information will serve the purpose of defeating a nomination. Media recipients of the leak will claim the highest principles of their trade when they protect the leaker.

The carnage of presidential nominations now litters the landscape of Washington. Hiring illegal aliens, whether or not it violated the law, now is grounds for withdrawal of a nomination. So is failure to file Social Security tax returns for babysitters. A request for a deposition by the Securities and Exchange Commission can end a nomination, as can provocative law review articles written by a professor. And, in the case of an assistant secretary of Housing and Urban Development, the nominee's sex life, while not sufficient to cause her defeat, became the subject of a nationwide telephone campaign.

This trashing of presidential nominees is

not done in private. It is not a matter of something coming up quietly that suggests the nominee is unfit for the job at hand. Rather, the whole episode is played out on the front pages of the daily press and at the top of the evening news. Forevermore, the esteemed jurist will be known as the person with the illegal babysitter, and the writer of scholarly articles will be known as a Quota Queen.

The next controversial nominee will be Sheldon Hackney, the president's choice to chair the National Endowment for the Humanities. Hackney is under fire for his "politically correct" handling of various racial controversies during his presidency of the University of Pennsylvania.

One would hope that university campuses would be centers of civil discourse, where racial and ethnic groups live in harmony. But, alas, that is not always the case. Young people, eager to try out the new experience of freedom from parental control, test the limits of the university's commitment to free speech. The result is speech that is intentionally outrageous and offensive. Meanwhile, members of minority groups, sensitive to insults, challenge the school's administration to prove its commitment to respecting minority rights.

It is a difficult challenge for university administrators to keep the peace on campuses where uproar is more the rule than the exception. Some administrators do the job better than others. Some seem too ready to appease one group or another in the name of preserving campus order. A case can be made that Hackney went too far in his efforts to placate outraged black students and that free expression suffered.

But what is the point in raising this issue in the context of Hackney's nomination? He is not being considered for a new position in university administration, and his ability to deal with campus crises seems irrelevant to the job of chairing the NEH. The president has chosen this man to implement the administration's policies. The president will be accountable for his performance in office. The mission of the NEH is to promote progress in the humanities by making grants to individuals, institutions and organizations. Surely Hackney's background as a distinguished scholar, author and teacher qualifies him for this work.

The attack on Hackney for his management of the University of Pennsylvania, while unrelated to the mission of the NEH, is directly related to the politically lucrative field of racial and ethnic divisiveness. If the racial turmoil of a university campus can be transported to Washington, the political benefits are enormous.



BY T. GIBSON

The real issue is whether there are any limits to how far we can go in using a presidential nomination for the purpose of making a political point, or furthering a philosophical position, or establishing our own moral superiority or embarrassing the president of the United States, whatever party may at the time occupy the White House.

Today there are no such limits, and no limits will or should be supplied by rule or law. If there is to be some minimum standard of decency we accord presidential nominees, it will arise from an expression of disgust by the American people for what we are doing to nominees who previously have lived exemplary lives. And that disgust will reflect our sense that those who have been nominated are more than stand-ins for political positions. They are human beings.

Until that recognition dawns upon us, my advice is: If the president calls, just say no.

The writer, a Republican senator from Missouri, was the chief sponsor of Clarence Thomas's nomination to the Supreme Court.