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Hackney, Sheldon: Humanities Chairman Nomination Hearing (1993): News Article 12

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REVIEW & OUTLOOK

Mr. Hackney's Nomination

The Senators sitting at the hearings—to begin this morning—on President Clinton's nominee for head of the National Endowment for the Humanities can be certain of at least one thing. They will not be toiling in obscurity. Thanks to recent notorious events at the University of Pennsylvania, led until recently by President Sheldon Hackney, the Senate Labor and Human Resources Committee's deliberations over Mr. Hackney's nomination will have, to say the least, an attentive national audience.

It's hardly necessary by now to explain why. Mr. Hackney is the university head who presided over the world-famous water buffalo case, which saw a Penn freshman charged with "racial harassment" and Penn's administration in full cry, pressing the case. They did this, Mr. Hackney told us early on, because the administration had to "abide by the procedures that are in place." Moreover, he went on, those procedures were in his view "just and fair."

He has evidently since changed his mind, in light of the national outpouring of scorn and mockery that greeted the university's obvious loss of prudence, adult judgment or common sense. Only after the publicity—and after the sorority women dropped their charges—did Mr. Hackney conclude that the university's legal machinery, designed to punish "offensive" speech, needed overhauling.

No overhauling can fix what is wrong with university harassment codes, which deserve to be consigned to oblivion along with their bizarre "legal" machinery. But more to the point, those codes and their machinery did not come out of thin air. They were produced by compliant university administrators cut from the same fine cloth as Sheldon Hackney, who end up arguing that they have no choice but to follow the "procedures." Over the past decade, obliging administrators brought those procedures and "solutions" into being in order to appease the grievances of activist students and professors. The administrators wrought what they no doubt believed to be considered rules and guidelines for the punishment of "offensive" speech and the maintenance of "civility"—and the cadres of the politically correct ran with them.

Empowered thus by administrators, and imbued with a chronic sense of victimization, the campus activists commenced to do what activists are most interested in doing—which is to act. Confronted with the resulting tide of absurd accusations and prosecutions over "insensitive" or "harassing" language, university administrators retreat, as Mr. Hackney has repeatedly done, into right-minded meditations on the importance of civility and free expression. Talk, as they say, is cheap.

The Senators at today's hearings might begin by asking some hard questions about Mr. Hackney's response to the seizure, by a group of minority activists, of an entire press run of the Penn student paper, the Daily Pennsylvanian. It would tell them volumes about the candidate's ability to act in defense of free speech, as opposed to his ability to form eloquent meditations on the subject.

Mr. Hackney and friends have spent considerable time in recent weeks complaining that "conservatives" have distorted his views and that he roundly condemned the taking of the papers. What Mr. Hackney in fact did after the theft was to issue a statement awash in pious evenhandedness, which repeat-

edly exculpated the seizure of the papers as "a protest activity."

A note from CBS's Mike Wallace, published in our letters column last week, chides us for judging Mr. Hackney by his mistakes and adds: "he has inevitably fumbled. Who hasn't?" We were deeply moved by Mr. Wallace's solicitousness on behalf of those who make mistakes, and wait with interest to see whether his concern for fairness might one day be extended to the public figures mercilessly flayed and garroted on "60 Minutes" every week.

Like Mr. Wallace, other supporters of Mr. Hackney attest again and again to his civility and sensitivity



Sheldon Hackney

These are stellar virtues indeed. But perhaps there is something in the air breathed around university buildings that disconnects them utterly from the virtues of courage and leadership.

Mr. Hackney's mishandling of the water buffalo affair and newspaper thefts is bad enough. But the much more insidious problem with the Sheldon Hackneys of American university life, and their number is legion, is that instead of courage, we must listen to their casuistry about "tolerance"; instead of leadership, we must bear their silent complicity in the suppression of honest opinion.

We all know about Eden Jacobowitz; we'll never know how many professors or students gag words and opinions down their throats now, lest some 19-year-old authoritarian call out the disciplinary machinery cheerleading faculty and TV cameras—while the school's president draws the blinds to let "the procedures" grind forward.

When Penn scholar Murray Dolfin—accused of a ludicrous charge of racism for trying to bring home the significance of the 13th Amendment—had his classroom invaded by "protesters," President Hackney had no word to say in defense of Mr. Dolfin's academic freedom, nor was he moved to discipline the disrupters. On the contrary, it was Mr. Dolfin whom "the procedures" forced to make a public apology and to attend a "sensitivity" training class.

Simply put, the question before the Senators is whether a university president who has compiled so sorry a record of appeasement in line with the prevailing political winds as Mr. Hackney has, should sit at the helm of the National Endowment for the Humanities, disbursing huge sums of taxpayer money in the form of grants imbuing NEH, that is, with the ethos of the American campus today.

If the Senators had any real concern for the message the confirmation of Mr. Hackney would send about university free speech and the importance of choosing leaders actually willing to defend it, they would vote no on his nomination. As it is, this Democratic nominee will be voted upon by Democrats Ted Kennedy, Claiborne Pell, Howard Metzenbaum, Chris Dodd, Paul Simon, Tom Harkin, Barbara Mikulski, Jeff Bingaman, Paul Wellstone, and Harris Wofford. We hope all those self-gagged professors who think their beliefs and interests are tied to Democratic politics will attend to the content and outcome of today's hearing.