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Because Ideas Have Consequences

HILLSDALE
COLLEGE



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“The Hillsdale Idea”

George Roche, President, Hillsdale College

Editor's Preview: *Presented here are excerpts from Hillsdale College President George Roche's new book, One by One: Preserving Values and Freedom in Heartland America.*

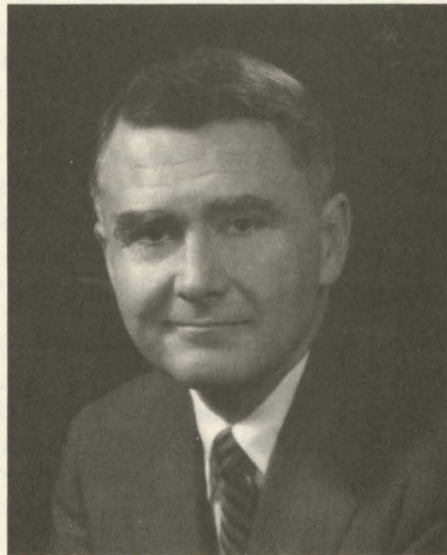
What hath God wrought?" A strange new device translated these pious words into impulses over an electrical wire. Another device at a distance received them instantly. History had changed. The barriers of time and space had fallen. Direct and immediate communication would henceforth be practical between anyone, in any land.

The words of Samuel F. B. Morse, farsighted yet humble, were a worthy message for a new era. For twelve years he had toiled to perfect his invention. He called it a telegraph, from Greek roots meaning "long distance" and "writing."

The year was 1844.

Please note the date. We will want to understand some perspectives from that long-ago time. This is difficult. More than twice man's "three score years and ten," two lifetimes, have passed. Indeed, from the view of 1844, five lifetimes have passed: for the average life expectancy then was less than thirty years. The changes since have been dizzying.

In 1844, the Republic was young and robust. Within recent memory, two of its great Founders had died: Thomas Jefferson and John Adams, eerily, on the same day, July 4, 1826, the fiftieth anniversary of the Declaration of Independence. In little more than a half century, the population had grown about fourfold—from some 4,000,000 in 1790 to 17,069,453 in the 1840 census.



The number of states had doubled, from the original thirteen to twenty-six. But in area, the country was only a quarter of the size it is today.

You would not recognize a map of America then. Its western reach extended no farther than states along the Mississippi River: Louisiana, Arkansas and Missouri to the south, Illinois to the north. In part of Illinois, the Mississippi was the western frontier. Twenty-four of our present states were yet to join the union: Florida in the south and all of the states to the west and north including the Great Plains, Hawaii and Alaska (the last two well over a century later). Only a few adventurers and trappers had penetrated the far west. The discovery of gold in California and the great westward migration it spurred still lay ahead.

Few of the great inventions we take for granted existed in 1844. The telephone was thirty years in the future, electric power forty,

radio and the automobile fifty, the airplane sixty. Television, transistors, jet aircraft and computers were all a century away. Almost all transport was horse-drawn. The only powered conveyances were steamboats and the steam locomotive (introduced less than fifteen years earlier). Plumbing, where it existed, was crude, glass windows were a luxury, and household appliances as we know them did not exist. From our perspective, perhaps—but not from theirs—life, for most, was laborious, and amenities few. We would, however, be greatly mistaken in thinking our own life richer or more fulfilling.

It was a time of great optimism, invention and energy, and of deep conviction in the "Great Experiment" that was America. Our country was secure in her faith, echoing St. Paul's famous declaration, "Where the spirit of the Lord is, there is liberty." It was not sodden, as it is now, with "problems" and guilt and self-doubts. America, born in a pilgrimage of unbelievable hardship from the Old World, was to be the "City on the Hill." A church was one of the first buildings at every crossroads settlement. The future looked grand.

In the realm of politics America's watchword was liberty for all. Such phrases as "the land of the free" were by no means the exhausted political slogans they became later. They were the beacon and the reality.

Do I exaggerate? You judge. In 1844, the spirit of the Revolution still animated America. Government was the implacable enemy of liberty, a potential tyrant, a barely necessary evil to be treated with suspicion and eternal vigilance and bound by the chains of the Constitution. Man was by nature free.

Accordingly, the power and reach of the federal government were duly and strictly limited. People usually lived their whole lives without encountering any federal presence other than the postman. And even the Post Office was under furious assault at the time from private entrepreneurs, who did the job faster and a lot cheaper. (The result was the Private Express Statutes giving the government a mail monopoly that still haunts us.)

There were no federal taxes. None. In fact, the income tax was a lifetime into the future. Federal spending was about \$3 million per year. That is not a typo. It may seem so now that we are trying to “get used” to federal budgets in the trillions (a million millions), but it is correct: \$3,000,000. About fifteen cents per person per year. Needless to say, there was no bureaucracy worth mention, nor any welfarism, nor the ceaseless clamor by interest groups for handouts or privileges. The government had neither the power nor the money to buy votes.

George Roche has served as president of Hillsdale College since 1971, and in the last 19 years has attracted international attention for his battle all the way to the Supreme Court to protect the College from federal intrusion. *Firing Line*, the *MacNeil/Lehrer News Hour*, *Newsweek*, the *New York Times*, *Reader's Digest*, *Time*, the *Today Show*, and the *Wall Street Journal* have chronicled his efforts.

Formerly, the presidentially-appointed chairman of the National Council on Educational Research, the director of seminars at the Foundation for Economic Education, a professor of history at the Colorado School of Mines, and a Marine veteran, Dr. Roche is the author of ten books, including *One by One: Preserving Values and Freedom in Heartland America* (1990), a collection of short stories, *A Reason for Living* (1989), *A World Without Heroes: The Modern Tragedy* (1987), a novel, *Going Home* (1986), *America by the Throat: The Stranglehold of Federal Bureaucracy* (1985), and *The Bewildered Society* (1972).

A native of Colorado, he grew up in the Rockies and until the eighth grade attended a one-room school. He received his B.A. from Denver's Regis College and his M.A. and Ph.D. from the University of Colorado. He and his wife June have four children, George IV, Muriel, Maggie, Jacob, and one grandson, George V.

Today the government spends more than a thousand times as much *every* day, and annually charges us something like \$5,000 per person—man, woman and child—to do so. If there is any limit whatsoever on its power and grasp, I do not know it. The only constitutional rule I can think of that is still fully observed is electing two senators from each state. Since 1844, the smallest government in the world has become the largest. Does anybody in his right mind think we are better off because of this? And if not, where did we go astray, and what can we now do about it?

Sesquicentennial: Hillsdale College, 1844-1994

Never have we so needed to recall our roots.

I do, of course, have a special reason for turning to the perspectives of 1844. In June of that year, a group of Free Will Baptists met in Michigan, newest of the twenty-six states. On the agenda was a resolution for the establishment of a denominational college. The motion was defeated. But a rump session refused to surrender the dream. They had “no endowment, no charter, no legal organization, no buildings, no library, no apparatus, no students.”

So, in good American style, Michigan Central College was born within a few months. The new college began life on December 4, 1844, in Spring Arbor, Michigan. Its president and sole faculty member was Daniel McBride Graham, a June graduate of Oberlin College. School convened in a two-room deserted store so decrepit that snow came in through the chinks in the walls. In a few years, the school moved to the little town of Hillsdale and became Hillsdale College, of which I am privileged to be president.

The first class had five students. I feel as if I know them all. Let me tell you about two of them.

One was Clinton Bowen Fisk, a “particularly lively pupil.” These were abolitionist times, and Fisk meant to have a full say in ending slavery. He was an early Civil War volunteer, rose quickly in rank, and was a brevetted major general by the war's end. A year later, in 1866, he founded a school for Negroes in an army barracks in Nashville. Whether this was the first such school for freed slaves is unclear, but it was certainly among the first. A year later it was chartered as Fisk University. Before many years, freshmen at Fisk received a classical education, including readings in original Latin and

Greek, and Bible studies in Hebrew. Harvard, today, does not even come close. Anyone who now sees limited educability among minorities or among any group is going to hear from me and from Clinton Bowen Fisk.

The other in that first class of five I'd like to mention was Livonia Benedict. She was the first woman in the state to be admitted to a degree program by a Michigan college on a par with men, and went on to be the first woman in Michigan and the second in the nation to earn the coveted Bachelor of Arts degree, in 1852, and the second to earn a degree of any kind. (Her classmate, Elizabeth D. Camp of Palmyra, New York, was the first in the state to win a Bachelor of Science degree the year before.) Miss Benedict married the Reverend William Perrine, another Hillsdale graduate. She was a founder of the first auxiliary of the Women's Foreign Missionary Society of Michigan and a leader of the Women's Christian Temperance Union. After her husband died, she endowed a scholarship in the Bareilly Theological Seminary in North India in his name.

Nondiscrimination and true academic freedom were principles carved in stone at Hillsdale, from its inception so long ago. We were graduating women and blacks more than a century before the federal government decided to get into the “equal opportunity” business. In the period 1868 to 1907, we also graduated foreign students (including women) from India, Prussia, England, Persia and Japan, and a full-blooded Cherokee Indian from the Oklahoma Territory (he played guard on the 1893 championship football team). Women have been serving on the Hillsdale Board of Trustees continuously since 1893. Hillsdale was the first college in Michigan, and one of the first in the nation, to elect a female trustee and to employ women as faculty members.

The College had a showdown with federal officiousness as early as World War I. An army lieutenant (a Southerner) ruled that a black student, though otherwise qualified, could not serve in the regular Hillsdale R.O.T.C., but would have to be inducted into a Negro unit. This “touched off a flurry of telegrams between [Hillsdale] President Mauck and a War Department committee, resulting in final instructions to [the lieutenant] to follow the age-old Hillsdale practice of treating individuals without regard to color or creed.”

But the real crunch came almost sixty years later, in 1975. Sticking to our first principles, we had a ferocious encounter with a federal bureaucratic machine that, in effect,

ordered us to practice discrimination by admitting students and hiring faculty on the basis of race and gender. Little Hillsdale said no. We stood alone. We fought. We gave it everything we had. And, after many years of litigation, we lost to sheer federal power. That story follows. It is an eye-opener, especially as to the real purposes of some so-called "civil rights" laws.

Today, legislation to "correct" Hillsdale's insistence on its freedom has become law. What the legislation really attacks is *your* freedom, and in an unprecedented way. It will put you under the federal bureaucrat's thumb in your farm or factory, your school board or your city council, your corner store or your church. Its reach is without limit.

Hillsdale will fight again. But this time, if we must fight alone, you and all America will lose.

Standing Firm: A True Story—With a Warning for Us All

The letter came as a shock.

I remember well that summer day in 1975 when it arrived. After fifteen years of litigation, legal fees and public discussion, I can say with feeling that nothing has been quite the same since at Hillsdale College. But I am proud of our stand, and can also say that Hillsdale has emerged the stronger for it, and more determined than ever to maintain its independence.

This is the story of what happened when a small private liberal arts college, standing alone, resisted regulation by the vast federal bureaucracy: regulation that would have compromised its academic integrity and freedom. It is a story that ought to alert every American that we each and all must be ready to fight again for our independence. The reach of overweening government power has been extended into every store, office and farm, every school and church, in every corner of America. This is a new, meddlesome, officious use of force, far beyond any governmental powers that our Founding Fathers contemplated. The Founders, indeed, fought and died to free us from just such arbitrary power, and tried to prevent it from ever occurring again, in Jefferson's words, with "the chains of the Constitution." Now our fundamental liberty is, again, very much at stake. The battle Hillsdale has been fighting for fifteen years is a battle which should concern all Americans.

Our story. The letter was from the federal government. To be specific, it was from the Office of Civil Rights of the then Department of Health, Education and Welfare (HEW).

It said: Hillsdale College, as a "recipient institution," must sign a compliance form agreeing to submit information to HEW listing the sexual and ethnic makeup of our school.

This is obnoxious. The student's race and gender are of no concern to the educator. To the contrary, one function of a liberal arts education is to overcome such invidious distinctions and to promote a civilized, color-blind, harmonious order. This ideal was very widely shared until recent times and has always been the rule at Hillsdale.

At its founding in 1844, Hillsdale threw open its doors to anyone of any race, creed or nationality. It was established by men and women "grateful to God for the inestimable blessings" of religious and civil liberty and "believing that the diffusion of learning is essential to the perpetuity of these blessings." It was their goal "to furnish all persons who wish, irrespective of nation, color, or sex a literary and scientific education," and to combine with this such moral "and social instructions as will best develop the mind and improve the hearts of its pupils." Hillsdale was educating women and free slaves on an equal basis before the Civil

the time "ranked" as the third largest government in the world, behind only the Soviet state and the U.S. government as a whole.)

It was not a mistake. The bureaucratic reasoning was that, although Hillsdale did not take any federal funds, some of its students had government loans or grants. The students spent some of this money paying for their education. That made Hillsdale a "recipient" too.

If you think this reasoning is cockeyed, that makes two of us. By the same logic, every fast food franchise, laundry and bookstore in Hillsdale, Michigan, would be equally a "recipient institution," and thus be put under the bureaucratic thumb. It goes a lot further than this. Think of the countless millions who receive Social Security checks, food stamps, Medicare, grants and other federal benefits. Every place they spend anything becomes, equally, a "recipient institution." In effect, every place of business in America, down to the last lemonade stand, would be subject to bureaucratic control.

So ran my thoughts and fears. A dozen years later it is all the law of the land. How we came to this appalling situation is part of our story.

"Hillsdale has *never* accepted a penny of federal funding—which makes it all but unique among colleges these days."

War—more than a century before there were any federal bureaucrats to tell us what the "right" ethnic or gender composition of a school should be. In those days this was quite a radical stance. But we meant it then and we mean it just as much today when the civilized ideal is again under attack from bureaucracy. Genuine education focuses on the individual and does not admit of any such quotas. It is open to all—and it always has been at Hillsdale.

And Hillsdale a "*recipient institution*"? Absurd. Since its founding, Hillsdale has *never* accepted a penny of federal funding—which makes it all but unique among colleges these days. (Don't even ask about the big universities.) From the beginning our trustees have always been aware that nothing comes dearer than "free" money. The school has felt all along that we would surrender our academic freedom by taking any such funding, and we have always refused even to consider it.

Whatever did these bureaucrats mean, we were a "recipient" of federal funds? Naturally, I thought at first it must be a mistake. Bureaucracies, especially very big ones, *have* been known to make mistakes. (HEW at

The form, said HEW, was required under Title IX of the Education Act Amendments of 1972, which barred discrimination based on sex. HEW would then determine in bureaucratic fashion if we were meeting the gender requirements for this particular act.

I remind you, it was never shown or even alleged that we were discriminating against anyone or violating any laws. We were not defendants. The only point of this maneuver was to put us under federal regulation.

The same form, or something of the sort, went out to every institution of higher education in the country. Almost all of them dutifully complied: because almost all of them are avid diners at the federal trough, or, more politely, "recipient institutions." Does anyone remember that, when federal aid to education was being debated in the 1960s, its opponents were jeered out of the arena for arguing that federal aid meant federal control? That academic freedom was at stake? The loudest jeering was precisely from those institutions most eager for the money: the ones now snarled in government red tape.

There were at least a few schools left, however, that cared more about education than about federal slops. A bare handful of

these, we learned later, did not fill out the HEW compliance form. But neither did they announce their noncompliance to HEW. They hoped matters would fall through a crack in our Byzantine bureaucracy and never be noticed. (And for a time they were right about that.)

So it was that Hillsdale was the only college in America to notify the government in the fall of 1975 that it would not sign the compliance form. Hillsdale alone took a stand, stood up to HEW, and said "No. And we are prepared to make a legal issue of it."

We stood alone for several years. Ours was the lone voice raised to insist that the government's definition of a recipient institution

nothing to do with civil rights or affirmative action. Nor was our record in civil rights ever in question. Rather, we were convinced that if we complied with the HEW order we would be unjustly liable to future regulation. This would mean abandoning Hillsdale's long-standing and cherished independence from government support and interference.

The agency countered that because some Hillsdale students received student loans and scholarships, the college was an "indirect" recipient of federal funds, and, therefore, obligated to comply. This was exactly why we were objecting. There was no point in discussing it any further.

appeals court ruled that, while federal loans and grants did make Hillsdale an indirect recipient of federal funds, the federal regulation was too broad and could not cover the whole institution.

Meanwhile, Grove City suffered defeat in the Second Circuit. In a way this set the stage for the resolution of both cases. The government chose not to appeal the Hillsdale decision. Instead, it concentrated on Grove City. The path was thus cleared for Grove City's case to be heard by the Supreme Court. Ironically, the legal battle Hillsdale had undertaken almost a decade earlier finally came to national attention as the case of *Grove City v. Bell* (named for then-Secretary of Education Terrel H. Bell).

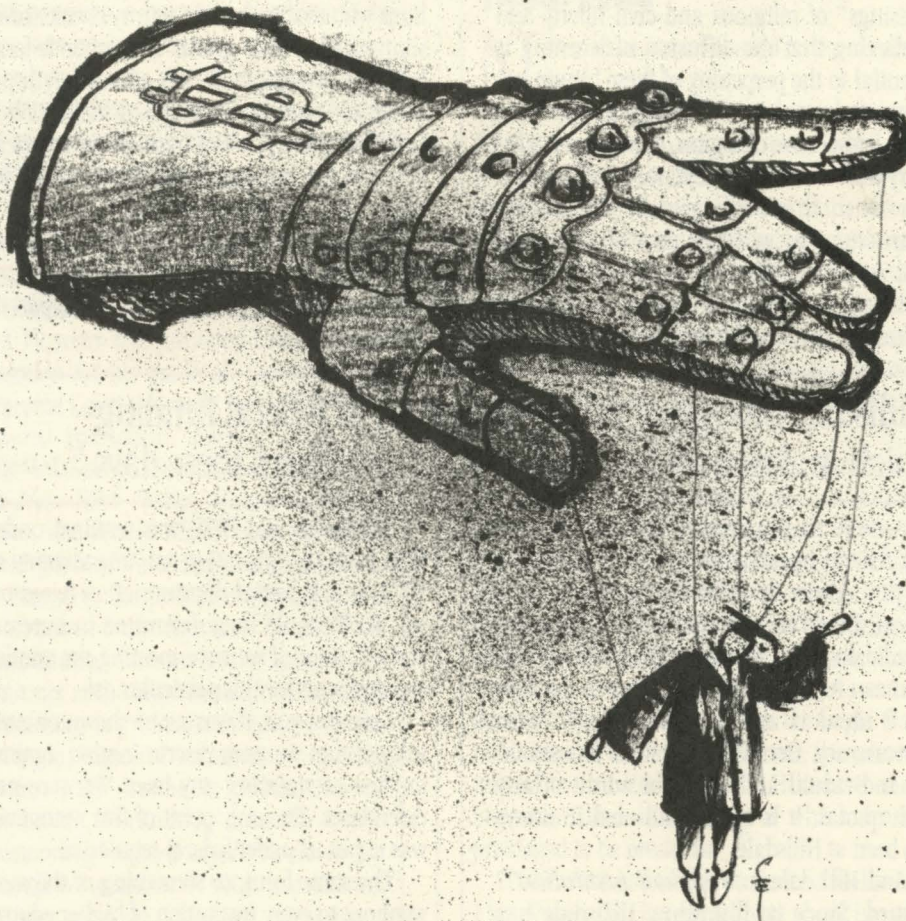
In February 1984, the Supreme Court ruled that any American college or university was the recipient of federal funds if loans and grants were received by a *single* student on its campus. The government, however, could withhold funds only from specific departments or programs which were not in compliance with federal regulations. In other words, the statutory powers were again found to be too broad. This was essentially the same decision Hillsdale had received earlier in the Sixth Circuit Court of Appeals.

The Supreme Court ruling was a blow to academic freedom. It gave the government an enormous amount of economic leverage with which to control the internal affairs of educational institutions—even those not receiving funds directly.

This was intolerable to a school that had fiercely guarded its independence for 140 years. The decision had a profound effect on Hillsdale. We met and discussed and agonized. There was only one way out left to us. We seized it, grateful that we still had the freedom to do so, however painful the price. The trustees resoundingly reaffirmed our private status and our stand against government intervention. They vowed to resist any such intrusions to the full extent of Hillsdale's resources.

In June 1985, Hillsdale announced that it would no longer accept students who intended to pay for any part of their college education with federal grants and loans.

We informed the government that no student listing Hillsdale as the school of matriculation should be given a federal grant or loan, because we could not accept that student. We then notified our parents and students that if they needed financial assistance for education, we would do what we could to find private dollars to make it possible for them to attend Hillsdale.



was wrong. It had changed the definition to one that defied all sense. The old definition was simply an institution that received federal funds. The new one was radically different: any institution having on its campus any *individual* who received a federal grant or loan. This would extend bureaucratic power into countless areas it had no business. It was wrong.

Our position was clear: We had never accepted funds from the government, so we were under no obligation to divulge proprietary information. In this we were by no means objecting to government civil rights policy per se. For us, the issue had

We took it to court.

Several years later Grove City College, which is affiliated with the Presbyterian Church, came under similar bureaucratic pressure. It was enjoined by the government to submit the compliance form. Grove City, like Hillsdale, had never taken any federal funds. They approached us for information and help in their defense and we were able to provide substantial documentation to aid them in preparing their case.

From that point the two cases wound through different paths in the federal appeals court circuits. Hillsdale eventually won a partial victory in the Sixth Circuit. The

Most colleges at the time were relying more and more on government aid to their students, for tuition and other expenses. And as federal grants and loans to students were rising sharply, tuitions were also rising sharply. Supply and demand works in the groves of academe as well as it works everywhere else. We were painfully aware of these trends and what they would cost us, but that only made us the more resolved to resist. When we said no, we meant it for once and for all. Hillsdale's stand did not go unnoticed.

The *Wall Street Journal* commended us, noting that "President Roche has in effect replied to HEW's quota overtures the same as General McAuliffe replied to German demands that he surrender at Bastogne ('Nuts!')."

Economist Milton Friedman commented in *Newsweek*, ". . . they have with clear conscience regarded themselves as not subject to HEW control."

Writing in *Fortune*, Irving Kristol observed, "Hillsdale, a small, traditional and generally excellent liberal arts college, refused on principle to accept any government funds. Roche is therefore free to speak up, as most other college presidents are not—and he does." (I'm afraid Irving has my number.)

The *Indianapolis Star* concluded: "So hurrah for Hillsdale! If the ever-expanding grasp of federal intervention in the lives of private citizens and institutions is to be turned back, it will be by just such determination to stand and fight."

Needless to say, we were much cheered by this enthusiastic response. It was welcome proof that Hillsdale would no longer stand alone, that many share our concern about the lengthening reach of bureaucratic coercion in the field of education and in our private lives. But of course Hillsdale's immediate problem required more than moral support. Now we had to find the funds to back up our pledge to aid our students.

To this vital need the response was all the more gratifying, and translated into tangible support for our Freedom Fund. Over \$30 million in contributions came from individuals and organizations who endorsed and aided Hillsdale's determination to remain private. That support proved all the more that a national leadership community is committed, as we are, to the traditional, private ways to get things done.

Despite this impressive outpouring of public generosity, the problems we face have only been blunted, not solved. The reason is easy to find. In providing financial aid for

our students, we are forced to compete with the biggest money machine in all human history: the U.S. government. This is like David versus one hundred Goliaths. Federal aid to students is skyrocketing. You have been hearing otherwise from the media since 1980 and the story you have heard is simply not true. If you have heard college and university presidents whining about how the administration has gutted higher education, you heard no more than the usual pleadings of panhandlers. All this is nonsense. The federal government is pouring money—your money, I might add—into student aid. Today, three out of every four dollars of need-based student aid come from federal programs. Tuitions soar to soak up all this nice "free" money, creating new pressures to raise student aid to even higher levels. But the level of education does not rise at all. Somehow, all those billions drift away into urgent "administrative" budgets and are lost to education. Bureaucracy breeds bureaucracy.

What this means for us is trying to match that torrent of tax monies, dollar for dollar,

do. It does put us at a disadvantage, and we did lose some promising students. But we sleep nights.

The problem is only going to get worse—for everyone, not just for Hillsdale—until we all say "no." As things stand, enormous amounts of money flow to the "higher education" factories that are losing all sense of what an education is. In this, the students are the first and hardest-hit victims. Not only can they be cheated out of a real education, they will be stuck with an ever-increasing bill for all that nice, easy grant and loan money they were given in order to attend. For the last few private schools that struggle to survive and preserve the liberal arts tradition, the invasion of federal funds is nothing but trouble. How are we to compete with the power of taxation? We try, but with increasingly demanding measures. Yet we few who fight the battle alone keep alive and uphold the proud tradition of private education.

Think about this. *All* higher education in America was once private. All of it was established by groups with religious affiliations

"As things stand, enormous amounts of money flow to the "higher education" factories that are losing all sense of what an education is. In this, the students are the first and hardest-hit victims. Not only can they be cheated out of a real education, they will be stuck with an ever-increasing bill for all that nice, easy grant and loan money they were given in order to attend."

for the students who need financial aid to attend Hillsdale. In the first three years of our program, our outlays nearly *tripled*. Does that tell you something about federal spending? And the burden is growing almost daily.

If this seems too abstract, let me give you a down-to-earth human example of what it means. Not long ago I had to report to the trustees about 27 students whom we had accepted and who were committed to come to Hillsdale. The gist of my report was that these were all quality students, the very sort we like to see. They all had good academic credentials. They wanted to attend Hillsdale. We offered them the best aid package we could afford—and lost them. Other schools, with the help of tax dollars, could offer far more aid than we could. It isn't that other schools could offer more of their own resources. They couldn't. The fact is, they are committing a very small amount of their own resources, compared to our commitment. The other schools, however, had the advantage of being able to pick the pockets of taxpayers for their package. That we *will not*

who freely gave their energies and resources so that education might be open to anyone. The trend has long been in the other direction, of course: toward huge, secular, tax-supported, bureaucratically approved universities. Think about this, too, as you contemplate what everybody knows to be true: Bureaucratic ("public") management of education goes up and up; the quality of education goes down and down. Surprise again! But did anyone ever really expect bureaucrats to be educators, or even to know why such a thing as a liberal arts education should exist? Would you buy your bread from a bakery that had never handled flour? That is precisely the kind of thinking that turns education over to bureaucrats.

There are more than a thousand birds, beasts and bugs on the endangered species list. None is remotely as close to extinction as traditional private education. If and when the last vestiges of private purpose and charity and skills in education are shot down, education itself must fall. For education is a continuing process, a transmission of knowl-

edge and values from generation to generation. When the last real schools are gone, who will educate the next generation of educators? The U.S. Department of Education? Forget it.

In a word, Hillsdale is fighting for its life. Don't take me amiss; we are not going to fold up the day after tomorrow for lack of funds. Money, as I have said, is an increasing problem in competition with tax funding, but it will be a good while before we have to move to the intensive care unit. No, the real question is whether this country is going to offer educational opportunity to all. To do this, we have to go on providing the real item in the only setting that still can sustain it: the private college.

What I, and the trustees, and all of us at Hillsdale fear is the next invasion of bureaucratic power. The one that will say in effect: "Never mind that you are a private institution, we are taking over now." There is no legal way for this to happen yet. But what new legislation will be written? Thanks to its stand, Hillsdale is a prime target. Already discussed in bureaucratic memoranda is the idea that tax exemption is really a loss of government revenue: as if the government already *owned* all of our earnings, and merely lets us keep some at its own pleasure. This is a complete inversion of property rights and due process. It may also be argued that deductions for religion, charity, education or other high-minded activities are no longer valid, because the government itself provides all such services. (Insane, but power-wielders and their friends are not very fussy about how they reduce private life to subjection.) Finally, I suspect the argument will be raised that private education has religious overtones and is therefore in violation of the famous "wall of separation" between church and state that doesn't happen to exist in the Constitution. When arguments sink this low, there will be no further point in referring to the Constitution or to the law at all. We will be ruled by naked power.

It is foolish to shelve these concerns, thinking "we'll cross that bridge when we come to it." I believe it is only a matter of time until another assault is mounted against Hillsdale and private education in general. We must be ready for it. At Hillsdale, we are already building our defenses. It is grating to have to do so. What harm has one small college done to the Republic that it should be subject to such attack? We have done no wrong except in the eyes of those who demand that government control every detail of life. To them, Hillsdale's independence is insolent defiance of their power and

designs. And they have a point. We will remain defiant.

If you think my concerns are exaggerated or overblown, read on. The story isn't over.

The Supreme Court's decision in *Grove City v. Bell* did not, as one might expect, please liberal legislators. In truth, they were furious that they had not quite reduced private colleges to unconditional surrender. There was that one last small loophole, that an entire institution could not be brought to account for some violation in one of its departments or programs. Bullying one department would not do; the point is to bully the whole school.

They promptly whipped up the Civil Rights Restoration Act, a bill to "correct the defects" in the enforcement of Title IX of the Education Amendments of 1972. The principal sponsor was Senator Ted Kennedy. What the bill provides is that the government may cut all funds to any institution that fails to comply fully with a regulation—in even one department. It applies to any direct or indirect recipient of federal funds.

This certainly "corrects" the loophole. It is also, in my opinion, one of the most sweeping impositions of federal power over free Americans that has ever been seriously proposed. Note well its means of enforcement: "Toe our line or we'll take away your funds." It is scarcely possible to pose a more naked threat. They might as well announce, "You take our money, we own you." With this, America's great experiment in self-government has lost its last battle. This kind of absolutism is cut from the cloth of the tyrannies of the Old World, whose peoples were not citizens but subjects with no basic rights. What is especially galling about this is that "federal" money was forcibly extracted from us in the first place. When they "give" some of it back, it comes not with strings attached but with chains.

Things get very much worse. The law targets all indirect recipients of federal funds. That means corner stores that take food stamps. That means churches that feed the poor in programs with even minimal federal connection. That means every American in any economic activity whatever. There is no way to prevent "federal" dollars from entering the operation somehow. It was argued: "Oh, no, the law wasn't meant to go this far; we will always use a 'narrow' interpretation." But the law *does* go this far. And the power will be used. I don't think there is a case in history when government, given such power, has not ultimately used it.

The false definition of "recipient institution" that we at Hillsdale tried so hard to

fight in 1975 now comes back to haunt all of America.

Even in a "narrow" application, the law is an affront to even-handed justice. Where the blind goddess of justice was once supposed to view all who appeared before her with impartiality, now she peeks. "Tell me your race, your creed and your sex," she says, "and I will tell you how I will treat you." This is not justice. It *is* racism, it *is* sexism.

The Civil Rights Restoration Act floated around Congress for four years. I wrote a number of articles warning about it, from Hillsdale's firsthand experience in the case. These were heard in some circles, but rejected with scorn in Congress. The magic words, "Civil Rights," have a dazzling effect. Legislators hardly dare vote against anything labeled "Civil Rights." But the label was utterly false. The bill had nothing to do with restoring civil rights. Remember that the two schools involved, Hillsdale and Grove City College, had never been accused of any civil rights violations in the first place. The issue was the reach of federal power, plain and simple—and on an unprecedented scale.

The Act was passed in 1988. President Reagan vetoed it, infuriating its liberal sponsors even more. Both houses of Congress provided the large majorities necessary to override the veto. The Civil Rights Restoration Act is now law.

How bad is this law? Let me give you the barest taste of its potential. Due to a recent court ruling, alcoholics, drug addicts and transvestites are categorized as "handicapped" and are thus protected under the Civil Rights Act. Ponder this all-too-possible scenario: A drug addict applies for a job at a pharmacy. The pharmacy which accepts Medicare and Medicaid payments via its clientele cannot turn down this "handicapped" applicant. It is required to comply with the federal regulations, even if it is aghast at turning a junkie loose in its supplies of drugs. Moreover, every other pharmacy in the same "geographic area" (also defined by government) is then obliged to submit to regulations also. There is quite literally no limit to the number or scope of similar cases that may affect us (and probably will). The law is wide open. About anything you can imagine may be a future civil rights case.

The power and responsibility to enforce civil rights regulations by withholding funds from violators is now the law. By all the canons of justice, the law must be equitably and fully enforced. Moreover, the status of civil rights enforcement is so loose and capricious that almost any slight (whether real or

unintended) to a member of a legally protected group can be construed a violation of federal law.

What began (let us allow) with the best of intentions, the decent impulse to protect the weak, the needy, the handicapped, has evolved into a federal bulldozer to flatten the rights of all Americans. No business or organization, profit-making or not-for-profit; no school or church; no local government is safe from vague federal fishing expeditions—or outright threats—to “enforce civil rights.” Where it will all end, no one knows. I do know this is the price we invariably pay when we allow government coercion to replace all the bonds of reason and sympathy that join us together in civilized society. Will we ever learn, with Lord Acton, that power corrupts, and absolute power corrupts absolutely?

Hillsdale has taken its stand. If need be, we will fight again. We will defend ourselves, as best we can, by distancing ourselves from governmental reach, whether that is intended to harm or (God forbid) help us. As best we can, we will build our resources in hopes of surviving the next assault and carrying on our work: liberal arts education. It may be that we will be swept away in the flood; but we do not, as Canon Bell reminded us, have to sing Hosannahs to the river gods.

What will you do? I said earlier that if little Hillsdale has to go it alone this time, all America will lose. Perhaps at first reading that claim sounded a bit self-inflated. Do you see now what I mean? ▲

One by One

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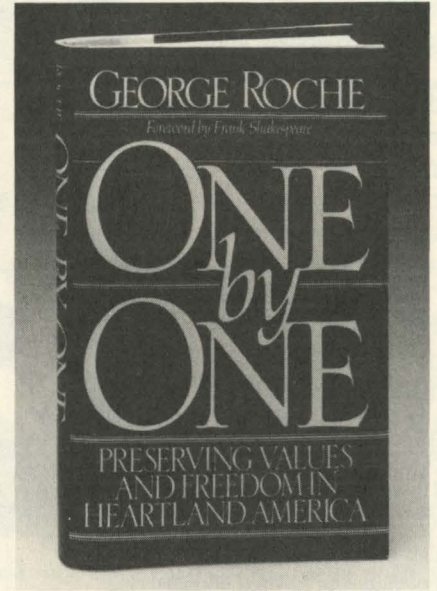
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College Establishes the Hillsdale Academy

This August, Hillsdale College, in conjunction with its newly reorganized Teacher Education Program, established the Hillsdale Academy, a private model school offering a values-oriented, "back-to-basics" approach for students in kindergarten through the eighth grade. The curriculum emphasizes reading, phonics, arithmetic, penmanship, composition, vocabulary, history, literature, geography, grammar, art, music, foreign languages, and science. Consultants on curriculum and school organization included such nationally acclaimed experts as Samuel Blumenfeld, Diane Ravitch, and Marva Collins.

The Academy dean, four teachers and 40 students meet each day in classrooms on the Hillsdale campus. Classes are organized according to the "cluster" concept, with four main groups: kindergarten, grades 1-2, grades 3-5, and grades 6-8. The aim is to foster interaction and mutual support among students under close teacher supervision. In the clustered setting, older students learn leadership skills by working with younger children, and the latter benefit from the experience and role

models of their older classmates.

One of the critical problems in American education is that parents often feel detached from their children's schooling. At the academy, parents are key players in the education process. "We want to encourage close parent-

education by monitoring their progress, standing behind the teacher's authority, and fostering a home atmosphere that stimulates learning."

Academy students work at their own individual learning rate, with the help of Hillsdale College students serving as teaching interns at the new school. According to Dean Gloria Boodt, herself a Ph.D. in reading, children's literature and language arts, the small class size, combined with the help such interns provide, makes for "an ideal learning environment in which each student receives personal attention in all subject areas."

When announcing the opening of the Hillsdale Academy before a group of 300 parents and community leaders, George Roche remarked that, "The time is right for us to take a fresh look at how education is conducted in this country, and how young people are being prepared to enter the teaching field. Hillsdale College advocates

strong private sector initiative in addressing the problems of our society. So starting the Academy is really a matter of putting our principles into action." ▲



Dean Gloria Boodt meets with Hillsdale Academy students

teacher relationships," says Hillsdale College President George Roche. "Learning doesn't stop at the classroom door. We depend on parents to support all aspects of their child's

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