

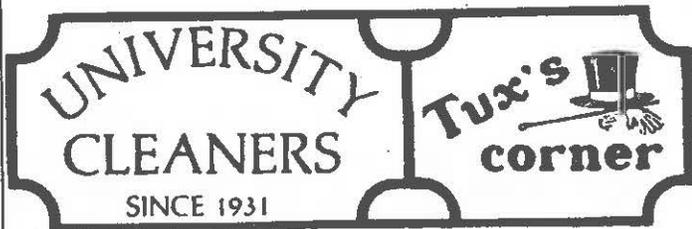
W&LSpectator

VOLUME 3, ISSUE 4, FEBRUARY 1992

**The Death
of the
CRC?**



Inside: America First



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The Traveller

Volume 2, No. 1 Lexington, Virginia November, 1991

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W&L Spectator

W&L's Student News Journal of Fact and Opinion

THE DEATH OF THE CRC?

12 The Proposals Facing the Faculty and W&Lby Jeff Kelsey

After embarrassing the University for nearly four years, Dean Howison has recommended that the CRC re-examine its role. Many see this as an opportunity to abolish it entirely. What will it take to kill the CRC?

GUEST ESSAY

17 America Firstedited by Cameron Humphries

Many feel that George Bush and the Republican party wish to maintain the White House only in order to keep James Baker in the State Department. Has the desire for a New World Order precluded American interests? Could it be time to place United States' interests first?

ON THE LIGHTER SIDE

20 Politically Correct: Revised Standard Version reprinted from *The Door*

With its lepers, blindmen, and cripples the Bible is not very P.C. A few revised passages of a Politically Correct Edition demonstrate the ludicrousness of "sensitivity."

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22 Lacrosse '92 Robby McNaughton

The W&L Lacrosse team is preparing for what most expect to be a very successful season. Members of the team outline their expectations for the coming season.

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"Duty is the sublimest word in our language. Do your duty in all things. You cannot do more. You should never wish to do less."
—Gen. Robert E. Lee



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C'est la Vie CRC?

I don't expect that W&L will endure a rash of racial or sexual epithets in the weeks ahead, though those who still defend the CRC must have us believe so. For in a few short weeks the CRC (the dutiful protectorate of harassment) will no longer haunt the colonnade. No, I don't expect that most of W&L, not predisposed to using hate words, will notice much of a change at all. But oh, what a very different place Washington and Lee will soon become.

The abolition of the CRC means more than an affirmation of the First Amendment, it constitutes the first significant step, in years (perhaps even decades), towards returning this institution to its fundamental values and traditions.



Undoubtedly even President Wilson will find it reassuring that as he begins the public phase of the Capital Campaign, he will no longer have to answer for presiding over a committee so abhorrent to General Lee's legacy.

But the death of the CRC is a victory for the students, for the alumni, and for the friends of the University, many who viewed the establishment of the Confidential

Review Committee as a sign that their institution was being taken away from them. Those fears may be correct in that honor and civility cannot tolerate committees, bureaucracy, and codification. Perhaps the dissolution of the CRC is evidence that those ideals are not dead yet at Washington and Lee.

The CRC is not dead either. Yet.

Proposals facing the CRC (and ultimately the faculty) could eradicate it entirely or merely change a few procedures. In his article on page 12, Jeff Kelsey explains the proposals before the CRC. W&L is at a turning point. It could be one of the first college or universities to voluntarily remove its speech code. But soon, probably very soon, dismantling campus speech codes will not be news at all. If Senator Craig's "Freedom of Speech on Campus Act" passes, then no college can maintain its speech code and retain federal funding. To abolish the CRC then would not be making history, it would constitute being a pawn of history.

General Lee's college deserves better. The faculty needs to grant the CRC a quick death and bury it deep.

Cameron Humphries
Editor-in-Chief

Editor Cameron Humphries

Publisher Chris Vinyard

EDITORIAL

Managing Editor Marc Kreppel

Senior Editors Jeff Kelsey, Brant Martin, Nancy Mitchell, Marc Short, Jamie Tucker

Associate Editors Chuck Erdman, Richard Houston, Electra Martin, Wright Marshall, Susan Moseley, John McNeer, Scott Sina, Christine Will

Sports Editor Robby MacNaughton

GRAPHICS AND PRODUCTION

Production Manager Kelly Land

Advertising Design Camp Ellis

Graphic Design Christine Hamlet

Photography Jason Coccia

ADVERTISING AND ADMINISTRATION

Business Manager Greg Golub

Advertising Will Thomas 463-7061
Tim Moorehead

Development and Distribution Sarah Aschenbach, Jay Broaddus, John Cuzzocrea

CONTRIBUTORS

Derick Belden, Elise Bryant, Richard Burke, Cameron Howell, Doug Lamb, Scott McCoy, Andy McGuire

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To the editor

COPING WITH THE SADIM TOUCH

In Pat Conroy's novel *The Prince of Tides*, Savannah Wingo says her father has the Sadim touch. She explains: "It's the complete opposite of the Midas touch... Everything he touches turns to..." Well, you know what it turns to. At times, I'm afraid, the same can be said of your magazine. In its short history, the *Spectator* has repeatedly and courageously published articles on important, controversial matters that demand scrutiny. Your goals are almost always admirable. But your execution is too often very weak.

Two articles in your most recent issue illustrate my point. The first, a well-intentioned piece by Jamie Tucker, points out potential dangers to the Honor System. Tucker does an admirable job of criticizing an alleged lack of support for the Honor System by some professors. His complaints are weakened, however, by his failure to interview those professors.

Who proctors exams? Who demands notes from ill students? Why? If so, have they notified the Executive Committee? Are department chairmen, the academic deans and the president aware of such alleged distrust of students by faculty? Does the administration endorse or tolerate such distrust? As a reader, I am left with these questions, and more questions, rather than answers by Tucker's article. Why did he interview no faculty members? No administrators? No Executive Committee members? Where is the rest of the story?

As incomplete as Tucker's article is, he also commits an even greater sin. In his tirade against those who allegedly do not understand the Honor System, he reveals that he himself does not understand the Honor System. He refers 21 times to some Honor Code. Although the law school's admissions application erroneously refer to an Honor Code, W&L has no such beast. As the White Book notes, President Lee envisioned, and W&L students maintain, a system of honorable behavior based on mutual respect and gentlemanly, trustworthy conduct. The difference between an honor code and the Honor System is not merely semantic. Unlike some other schools (for example, The Citadel), W&L has no succinct statement defining a minimum standard of behavior; W&L has no code that tells us what is dishonorable. Rather, each student generation makes that determination. Perhaps Jamie Tucker, in his article, seeks to imply that the idealistic vision of the Honor System I describe is one that today's W&L falls short of, one that this school has abandoned in recent decades. But his repeated references to an Honor Code (note his upper-case) indicate to me that he really believes W&L has an Honor Code and that the editors of this magazine do not know any better.

Also in your December issue, Cameron Humphries discusses reported acts of vandalism in Lewis Hall. (Fortunately, Humphries does not repeat Tucker's erroneous reference

to an Honor Code, though that mistake does appear in the table-of-contents summary of Humphries' story). In criticizing the response of some students to that vandalism, Humphries's incorrectly attributes to law school Dean Randall Bezanson a comment made by a former student. Bezanson, so far as I know, never has said, diversity is just important a part of the preparation for practicing law as learning substantive law. Former law student Linda Foster, however, apparently said exactly that (see page 5 of Dean Bezanson's 1989-90 report, where this quotation originally appeared). I do not know why Humphries made this mistake; indeed, he could have avoided it very easily, either by looking up the quotation in the dean's report or by—perish the thought—interviewing Dean Bezanson before criticizing him.

Of course, as both Tucker's article and the one by Humphries illustrate, the *Spectator* often does not seek to interview the objects of its scorn before publication. But perhaps such a habit is one you should consider adapting, because, without such interviews, you are likely to continue to commit errors such as the ones I describe in this letter.

In closing, I can't resist repeating some advice I took from your magazine nearly two years ago. As an astute quotation preceding a 1990 article by Humphries observed, If you don't know the truth—if you can't write the truth—don't write.

James B. Lake, '90, '94L

Editor's Note: Mr. Tucker's piece actually does consist of quite a substantial amount of student interviews, including my own input following an interview with President Wilson which also addressed some professors' ambivalence toward the Honor System (or Code). It was my own editorial decision not to use the names of the professors and not to approach them.

If the Spectator had published the names of the professors, or had approached them, campus focus would have shifted from the intent of the article to the perceived "campus witch hunt" which the Spectator was pursuing. Then the article and the entire magazine would have been dismissed as McCarthyian. The last time the Spectator approached a professor regarding her actions the faculty quickly circled the wagons.

As to the use of a quotation from Bezanson's Dean's Report, I did know that Bezanson was not the first person to say it. And if you will re-read my article, you will see that I said he "claimed" it. That's the conclusion I draw based on his placement of it in the Dean's Report—he certainly did not run away from the statement; he embraced it. Furthermore, the Dean's Report is a matter of public record. I do not have to interview him.

Finally, you touched on the subject of Honor System vs. Honor Code. The Honor System is the procedure by which an honorable code of conduct (or Honor Code) is enforced.

"BUT WHO SAID WHAT?"

I am an avid reader of the *Spectator*: I usually find much amusement in the absurd statements in its articles and in the fact that its writers actually take their views seriously. However, I was hardly laughing when I discovered that the *Spectator* had the audacity to attack efforts to confront the very serious problem of sexual assault which exists on our campus and on campuses across the

nation. The article in the December 1991 issue of the *Spectator* entitled, "But, It Said 'WHAT?'" was inaccurate, closed-minded, and generally repulsive.

If the message of the play sponsored by the Health Education Committee, But I Said 'NO' was lost on the writer of the article, then the *Spectator's* sources are worse than I thought. The play's message was loud and clear: sexual assault is everyone's problem and its gravity cannot continue to be ignored. If it took strong language (taken straight from the script of our social scene) to get the point across, then so be it. I think that the adult audience present at the play that night—maybe except for one member—showed that they could handle it.

The *Spectator's* claim that But I said 'NO' characterized all men as animals is absurd. The writers of the play went out of their way to stress that men are victims of sexual assault—either directly or indirectly—as well as women. They emphasized that the values of our society have created the backdrop for this crime, and that we must all women and men work hard to change these values. Women and men should respect each other and ourselves as equals; then and only then can we successfully combat the problem of sexual assault.

Finally, I found the personal attacks on Professor Simpson, a particular woman character in the play, the feminist movement, and liberals (surprise, surprise) to be uncalled for, though they were predictable, coming from the *Spectator*. If the *Spectator* spent less time attacking others and more time looking inward at the very views which they espouse, then they might see the scary truth of Professor Simpson's statement in *The Traveller* that college women are being raped by nice, ordinary college men. This little bit of in-

trospection would do the *Spectator* a lot of good, and—who knows?—it could actually become a publication worth the paper it's printed on.
Shannon Comer, '93

Editor's Note: We'd love to see your social scene! We still deny that nice men are rapists, although we do agree that the "values of our society" (i.e. the sexual revolution, one product among many of the valueless 60s) have created an environment in which date rape is so prevalent. Hoping to continue to amuse you.

FREE W&L FROM THE SLAVERY OF FEDERAL FUNDING

I am a practitioner of internal medicine and an alumnus of the Class of '81. I have recently learned of the *W&L Spectator* through one of my patients whose son is applying for admission. She herself is an alumnus of Sweet Briar and thought I would appreciate having and reading what you have to say.

The issue she gave me—Oct '91—is outstanding. It is the first thing in over 7-8 years published from Lexington that I can read and enjoy. In it echo the themes, values, ideals and beliefs I had thought gone from Washington and Lee. On my desk in the office, courtesy of another patient, is *Lee Revisited*—by Alan T. Nolan. If you have not read or heard, this is a revisionist history of Lee attempting to paint the general as a lackey to the Southern Slaveowners. When I received it, before my copy of the *Spectator*, my only reaction was of profound depression and indignation. It has also impressed me with the urgency and intensity of the PC movement. Accordingly I have enclosed a copy of *Imprimis*—the monthly publication of Hillsdale College in Michigan.

I strongly feel that the preservation of a true liberal education, and indeed

(Continued on page 23)

General Opinion

INTER- FINANCING COUNCIL

Ants did not even attend the Winter Picnic in Lex Vegas on Saturday, January 18. This event, sponsored by the Independent Union to raise money for Muscular Dystrophy, ended up losing \$1800 due to lack of attendance.

Now, the organizers of the event are asking the IFC to help them cover their loss, apparently with the argument that the fraternities are to blame for the Winter Picnic failure. Interesting logic considering that the fraternities agreed not to hold house parties on the night of the event.

The reason the Winter Picnic failed is that it was a bad idea from the start (not to mention that the name did little to spark interest). True, raising money for Muscular Dystrophy is a good cause, but that is why we have Superdance.

The IU expected over 300 people to attend the fundraising event, which only attracted about 100 to 150.

According to Dean Buddy Atkins, IU events need to be supported by members of W&L's sororities and fraternities. Point taken. But to seriously believe that the fraternities should pay for this debacle that was apparently not even supported by many independent students is sheer lunacy.

The most discouraging, though not unbelievable, aspect of this matter is that support of this idea is coming from within the IFC itself. At a recent IFC meeting, President Greg Hicks asked fraternity presidents to have their houses cut checks to bail the IU out. Furthermore, the IFC will consider

using funds from its budget (money collected from fraternity members only) to cover the IU's losses. Maybe someone should remind Mr. Hicks what the "F" in IFC stands for.

JFK STONED

In the continuing effort to rewrite history, Oliver Stone has produced another movie, *JFK*. According to the film, President Kennedy fell to a massive conspiracy including sizable portions of the United States Government (the FBI, the CIA, and later President Johnson himself), the military-industrial complex, anti-Castro militants, the New Orleans underworld (most of whom Stone claims were homosexual) and, of course, the media—who even thirty years after the assassination have continued to participate in the cover-up. In one respect, the

Spectator is pleased to join ranks with the conspirators.

Stone's movie is such a brilliant work of fiction that discovering where the truth ends requires first determining where it begins—or more likely, if it is even present at all.

JFK does address some ambiguities in the Warren Commission report, including an explanation detailing why the Magic Bullet Theory is pure fantasy. Furthermore, the film admirably questions the long held belief that Oswald acted alone (if he even acted at all), and Stone does concede that Kennedy had enemies in the underworld.

Very few facts to substantiate a plot which runs over three hours.

The character of President John F. Kennedy is only the first subject of the film's wholesale revisionism. According to *JFK*, Kennedy had undertaken to reduce the size and

Top Ten Sorority Rush Violations

10. Twirling a poodle skirt too high
9. Serving phallic cupcakes
8. Fire-balling in the Fairfax Lounge
7. Perfroming Madonna's Truth or Dare in a skit
6. An earnest smile
5. Calling the colonizing sorority Pie Baits
4. Bare-ass paddling
3. Dropping Prozac in the punch
2. Illegal endowment of the stripper's briefs
1. Beer-Bonging

Classic

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scope of the CIA, especially as regarded its involvement in Vietnam. No one knows what classified actions Kennedy took to either reduce the power of the CIA or to withdraw from Vietnam, and neither does Oliver Stone.

What, on the other hand, is a matter of public record, are the actions which the Kennedy administration took in regards to that conflict. John Kennedy escalated the conflict while alive and after his death, Robert Kennedy publicly stated that his brother would have continued to do so were he still alive. Perhaps instead, Robert Kennedy merely wished to cover his tracks, for a few years later (according to the movie) he too would fall victim to the same conspiracy which claimed his brother.

But what Stone chose not to explore, in fact what he outright

ignored, were the other organizations which did not lack either the means of successfully executing a conspiracy or the motives—namely the Mafia.

Kennedy's connections with the Mafia are patent. Not only did he share his White House bedroom with a Mafia mistress, he (not unlike his father) did business with them. That the majority of assassination historians link the Mafia did little to dissuade Stonehe outright ignore

them, preferring instead to poison a generation of unsuspecting Americans, many of whom were born years after the tragedy, against not only their government (who would defend the government these days), but against their country.

From Wall Street to the rice fields of Vietnam, Stone's films

NOTABLY

II
Stone's films celebrate the perverse themes of the 1960's: drug abuse and promiscuity. They praise a generation whose ideas are as barren and sterile as the birth control and abortions they so readily consumed.

celebrate the perverse themes of the 1960's: drug abuse and promiscuity. They praise a generation whose ideas are as barren and sterile as the birth control and abortions they so readily consumed. And perhaps the most enduring tribute to that era which Oliver Stone could provide is his own personal character, a man who loves neither truth nor country.

P.E. POWER

Does anyone ever wonder why the Physical Education Department enjoys clinging onto some small influence on your graduation? It is absurd that a student who dedicates his time to a varsity sport for four years at a university which does not grant athletic scholarships still needs to complete three P.E. classes to graduate. We presume that a four year varsity athlete is physically fit. What then is the purpose in requiring additional P.E. courses?

THE LAST BOY SCOUT

Claiming that "the Boy Scouts are in need of the positive influence of gay role models," a group of homosexual militants entitled the "Queer Nation" beset a San Francisco Scout office last July attempting to register as Scoutmasters.

Pressure such as this from homosexual groups as well as a prolonged effort by both the American Atheists and the ACLU to incorporate pronounced atheists into the organization has placed the Boy Scouts of America in the crossfire of a myriad of special interest groups who wish to strip the organization of its founding principles and values.

Clubs, organizations and



Top Ten Most Offensive Sports Teams.

10. The Reds, to a few W&L Professors
9. The Yanks, to Pee Wee Herman
8. The Redskins, to Native Americans
7. The Braves, to Native Americans
6. The Chiefs, to Native Americans
5. The Seminoles, Native Ameicans
4. The Indians, to people in Cleveland for always losing
3. The fighting Irish, to peace-loving Sinead O'Connor fans
2. The Trojans, to Catholics
1. The Packers, to . . .

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fraternities have come under increasing attack in recent years, but perhaps no case is more tragic than that of the Scouts. For over seventy-five years the Scouts have trained young men in the virtues of honesty, courage, loyalty, and responsibility.

That one in ten American boys will become a scout attests to this organization's impact on the nation. In fact, it may well be this organization's positive influence on so many youths that has made it the target of fringe minorities such as atheists and homosexuals.

By the most generous estimates, atheists comprise no more than ten percent of our nation's population, homosexuals less than half as much. And presumably the two groups overlap—probably quite substantially. Without question, the Scouts represent the values of the American people.

This is what the ACLU, the American Atheists, and the Queer Nation must find so disturbing—these groups

do not represent any form of genuine diversity, but rather offer distinct forms of perversity. The Boy Scouts, in the effort to train young men to be "morally straight," teach that homosexuality is wrong. Furthermore, Article IX of the Scout bylaws states, "The Boy Scouts of America maintains that no member can grow into the best kind of citizen without recognizing an obligation to God."

To incorporate atheism into the Scout philosophy would, then, essentially destroy it. And were homosexual men allowed to assume leadership positions within Scouting, then no responsible parent would consider allowing their son to join it.

The North American Man-Boy Love Association is another homosexual organization attempting to break into Scouting. This organization purports to teach young men about the "positive aspects" of homosexuality, and as its name implies, could convert a troop of young Scouts into...

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THE DEATH OF THE CRC?

by Jeff Kelsey

In the spring of 1988, the University faculty fundamentally altered student government at Washington and Lee by creating the Confidential Review Committee (CRC). The role of this new disciplinary committee was to adjudicate matters of sexual assault and matters of ethnic, racial, religious or sexual harassment, thus removing those particular types of harassment from the jurisdiction of the Student Conduct Committee (SCC). The stated rationale behind this shift in the student disciplinary system was the SCC members' discomfort in handling such personal matters and the reluctance of victims of racial or sexual harassment to bring complaints to the SCC because of a lack of confidence in the confidentiality and objectivity of the SCC. The President appointed four faculty and three student members to the CRC based upon their reputations for fairness, sensitivity, objectivity and ability to maintain strict confidentiality. This original structure was outlined in a memorandum dated April 26, 1988 from an ad hoc Committee of Review to President John Wilson, and the CRC's structure and purposes remain essentially unchanged today.

The creation of the CRC caused heated debate and controversy which has never fully subsided in the past four years. Student leaders have repeatedly denounced the faculty-dominated, administration-appointed committee as antithetical to the tradition of student government at W&L. Free speech advocates have attacked the harassment policy as overly broad and violative of the First Amendment. The local and national press have criticized the CRC as another example of political correctness run amuck on college campuses. Proponents of the committee have steadfastly held that the harassment policy and committee are necessary to protect the interests of "marginalized" groups on campus.

Yet despite the swirling controversy and often angry debates, the CRC has failed to fulfill either the worst predictions of its critics or the best predictions of its advocates.



Students have not as yet been expelled from school for voicing their opinions. But the number of complaints of harassment to the CRC does not indicate a renewed confidence in the new system over the old one. In fact, the CRC has been a failure in its essential function as a student disciplinary body. The record indicates that the CRC has heard only one case in the past four years and has heard no cases in the past two years. However, nineteen cases have been reviewed by the Associate Dean of Students for Minority and International Affairs, Anece McCloud. Perhaps that only one of these cases was heard by the CRC indicates that harassment is not occurring at W&L. Certainly, the success of the committee should not be judged by statistics alone just as the EC is not considered "successful" simply because it has heard a great number of cases. But the sheer lack of cases proceeding to the CRC indicates either that the Dean's



Photo Credit: Jason Coccia

office is handling these cases adequately or that students lack confidence in the CRC to handle these complaints. In either case, the CRC remains a useless appendage to student government and a lightning rod of criticism for W&L. The obvious question remains: What should we do with the CRC?

In an effort to address this issue, the members of the CRC have been discussing the current procedures and drafting proposals to correct some of the committees's defects. After this self-evaluation, the CRC will submit a report of proposed changes to the Student Affairs Committee (SAC) which will evaluate the report and issue an opinion. The report and SAC opinion will then be submitted to the University Faculty for a vote on the proposed changes. The aim of this article is to inform the student body of the CRC's current procedures, offer criticisms of some of those procedures and

outline several proposed changes to the current CRC.

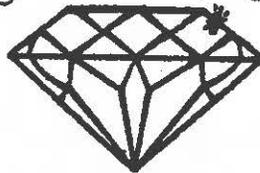
The 1991-92 *Student Handbook* contains the University Policy on Harassment and the CRC procedures on pages 93-96. Those pages also define the role of the Associate Dean of Students for Minority and International Student Affairs (Dean) and establish procedures for referring a complaint to the CRC. A complainant may turn in a possible violation of the harassment policy to any one of a large group of administrators and students including the Dean, University counsellors, the Associate Dean of the Law School, a member of the Dean of Student's staff, a dorm counselor or a peer counselor. According to the policy, all of these people are trained to provide information about what constitutes harassment, what options the complainant has and what the complainant should do next. If the complainant wishes to pursue the case, the complaint will be referred to the Dean.

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At this point the handbook says, "If there is no resolution of the incident in consultation with the Dean, the matter, at the request of the complainant, shall be referred to the CRC." The *Student Handbook* does not elaborate on what should transpire once the case is referred to the Dean. However, in a meeting with the CRC this fall, Dean McCloud explained her procedures for handling complaints of harassment. Dean McCloud made it clear that these particular procedures were her own invention and that she would adhere to them unless ordered by the President to alter them. Once Dean McCloud receives notice of a case, she meets with the complainant and has them fill out a complaint form detailing the name of the accused, the type of complaint, witnesses to the incident, where and when the incident occurred and a brief description of what happened. The Dean then advises the complainant of all the options and asks which course of action, if any, is desired. If the complainant wishes to take further action, no matter what that action may be, the Dean calls the accused into her office to discuss the incident. At that meeting, the Dean gives the accused a copy of the complaint, explains the complainant's various options and what action the complainant has decided to take. She then has the accused fill out a response form which is virtually identical to the complaint form. The Dean then reports the results of this meeting to the complainant and further discusses the available options. These options differ depending upon the response of the accused. If the accused admits the incident, the complainant's options include taking no further action, requesting a direct response from the accused (letter of apology, mediation with the Dean, counseling), or referring the case directly to the CRC. If the accused denies the allegation, the complainant may request that the Dean further investigate the matter e.g., by calling witnesses, or that the case be referred directly to the CRC. Dean McCloud then notifies the accused of the complainant's decision.

Once the case is referred to the CRC, the committee must call a hearing no sooner than one week from receipt of written material from the Dean. The Dean has stated that she will only transmit that material which the committee requests. The CRC could review all of the materials including the complaint and response forms and the investigative report, or the committee could simply start their review from scratch by calling the complainant and accused as witnesses.

The CRC hearing must follow the procedure listed on pages 95-96 of the *Student Handbook*. According to these procedures, the accused must be notified in writing that the complaint has been referred to the CRC. The accused also has the right to an advisor, to hear all testimony, to call witnesses "if clarifying statements are necessary," and to receive copies of all written material submitted by the Dean to the CRC. At least five of the seven members must vote guilty in order to convict

the accused of the offense, and five members must also concur in any punishment. The CRC may impose a wide range of punishments including counselling, probation, suspension or expulsion. Sanctions of suspension or expulsion may be appealed to the elected faculty members of the President's Advisory Committee. The appeals committee has no power to change the sanction, but may return the case to the CRC for reconsideration.

On paper, these procedures may seem an objective and fair method for resolving such disputes; however, these procedures present real theoretical and legal problems. One of the biggest problems is that the Dean must fill several different, often conflicting roles when handling a harassment case. She acts as a counselor in the early stages by advising the complainant what constitutes harassment and the available options. In essence, the Dean must advise whether, in her opinion, the incident amounts to harassment, and whether further action should be taken. She must also act as the investigative arm of the CRC if the case proceeds that far. This function would entail interviewing the accused and any witnesses. The CRC bases much of its decision upon the investigation summary which the Dean submits and only calls the complainant and accused to present "clarifying testimony" when necessary.

The Dean also acts as a mediator between the complainant and the accused if the complainant desires such mediation. A mediator should be absolutely unbiased and work toward a compromise which will suit both parties. But in this case, the Dean has already made a preliminary judgment about whether harassment has occurred. Given this preliminary review, can the Dean remain an unbiased mediator? Even if the Dean does act in an unbiased manner, mediation in such a situation heavily favors the complainant because it is that person who ultimately decides whether to accept a compromise or whether to take the case to the CRC. An accused would naturally feel pressure to accept any compromise rather than face possible suspension or expulsion at the hands of the CRC.

This situation also raises another potential problem. Suppose an accused student participates in mediation or other informal stages, but the complainant ultimately decides to send the case to the CRC. The process has moved from the realm of seeking compromise to a full adversarial proceeding. Yet all of the statements made by the accused at the mediation stage can then be used to assess guilt. Such a situation is tantamount to luring an accused to testify against himself with the promise of leniency then withdrawing the promise. The CRC procedures do not have any guarantee that an accused will not be forced to testify against himself, and in fact state "the accused may be asked to present any clarifying testimony requested by the CRC." This statement implies that the accused could be forced to testify against himself in a CRC hearing. The legal implications of

such a policy are staggering. Should a case arise involving assault or rape in which criminal charges could (and ought to) be brought against the accused, any of the records from the Dean's investigation or the CRC hearing, including the accused's testimony or statements on the response form, could be subpoenaed by the state as evidence for the prosecution. In such a case, the University has effectively deprived a student of a Constitutional guarantee without even granting the benefit of counsel.

The real problem, of course, is that the nature of harassment is a very personal issue and any resolution of the problem hopes to satisfy the complainant. Certainly, harassment in any form is a crime against our community of civility just as an honor violation is a breach of our community of trust. But harassment entails a victim who needs to be vindicated and the easiest way to achieve this vindication is through an informal process whereby the victim can prosecute the case and impose the desired punishment. The problem with such an approach is that some situations cannot be handled appropriately through such an informal system because they are such egregious violations. When making the transition from compromise to adversarial, the rights of the accused get trampled. The only way to adequately address such serious offenses is through a system modelled on the Honor Code which grants the accused certain basic rights and requires that the commit-

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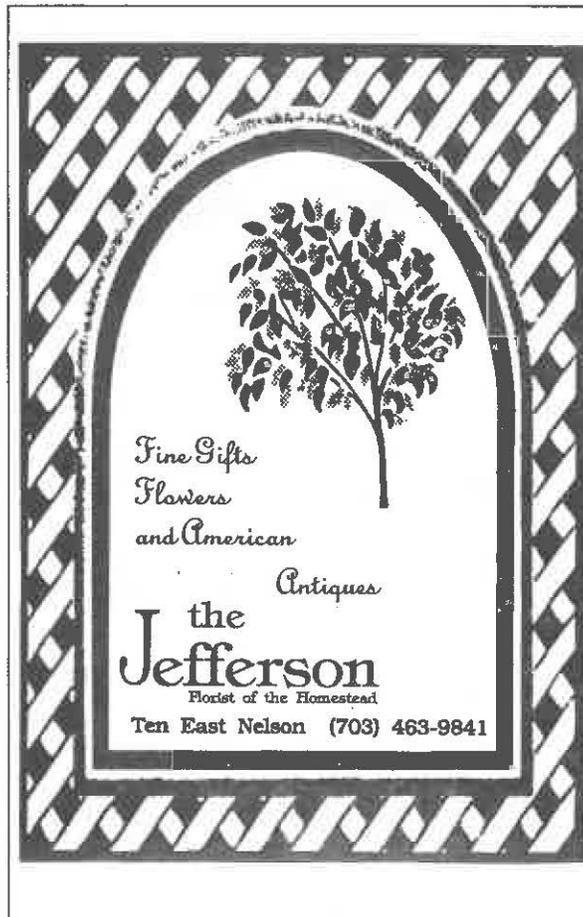
tee prove the violation rather than asking the accused to disprove the violation.

In the next few weeks, many different groups and individuals will propose changes to the existing CRC. One of these proposals would eliminate the CRC altogether with SCC handling harassment cases and the Dean of Students handling cases of assault and rape. If substantial evidence of the accused's guilt existed then the student would be dismissed. This proposal would also entail re-drafting the harassment policy to state simply that Washington and Lee will not tolerate harassment of any type. Such a policy has the advantage of closely resembling the Honor system and General Lee's idea of gentlemanly behavior rather than singling out certain groups for special protection. One drawback of such a proposal would be where to draw the line between when the Dean could step in and when the SCC should hear the case. If the Administration followed recent precedents and stepped into every case at the equivalent of a broken window, then student government would clearly be subverted. One modification of this proposal might eliminate this flaw. Under such a proposal the CRC would take the place of the Dean's office and would hear only sexual assault cases while sending all other harassment cases to SCC. This newly constituted CRC would be a committee of students either elected for the position or appointed by the Executive Committee. The CRC procedures would be mod-

elled more closely on the Executive Committee procedures and would be more formal. Yet another proposal would leave the present system intact with some modifications of the harassment policy and the CRC procedures. Such a proposal might entail altering the harassment policy to protect freedom of speech, especially within the classroom setting, while specifically listing types of harassment prohibited. It remains unclear how this proposal would deal with the procedural problems within the system.

Within the CRC itself, there remain a wide variety of ideas about which proposal should be adopted, and it remains to be seen whether the committee can reach a consensus report to send to SAC. The CRC is currently asking for input from student organizations and individuals and will take those opinions into consideration when preparing its report. Students can have an effect on this process by learning the issues and making informed judgments about how the system should be changed. But if the student body remains apathetic and fails to voice an opinion, the existing system could remain in place. Nobody wants that to happen.

Jeff Kelsey is a third year law student from Memphis, Tennessee. He is a member of the Confidential Review Committee.



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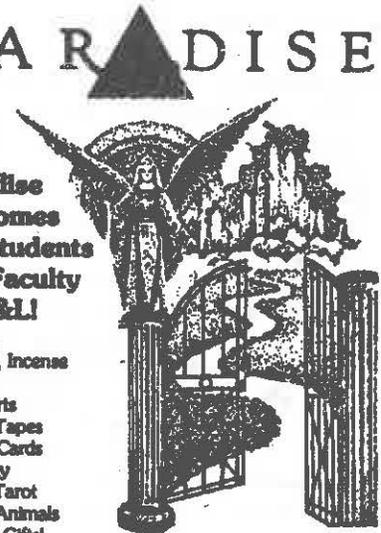
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America First

edited by Cameron Humphries

Editor's Note: This article, by Thomas Fleming, first appeared in the December 1991 issue of Chronicles.

Douglas Wilder made a splash in New Hampshire last August, when he devoted a pre-campaign speech to the theme of putting America first. "We cannot focus all our energies on the international arena at the expense of America's finances and economic health." Denying he is an isolationist, Wilder asked, "If jobs are going to be found, why not for Americans? If schools are going to be built, why not schools for Americans?"

In part, Wilder's patriotic rhetoric derives from the Democratic strategy of conceding Mr. Bush his foreign policy successes and scoring off his poor showing on domestic issues. But there is a growing sentiment that the Republicans want to hold on to the White House not in order to run the country but only to control the State Department. Peace in the Middle East occupied so much of their time that they have none to spare on bringing peace to Brooklyn or Los Angeles. What is left of the U.S.S.R. is important, the Republicans insist, because of its potential for world markets, but in America SAT scores continue to decline. How are these ignorant savages—that is, our children—going to compete against European children who learn math, foreign languages, and the habits of discipline?

William Bennett, upon resigning his position as Secretary of Education, declared victory in the SAT battle. Later on as "Drug Czar," he presumably licked the drug problem in the United States. On the strength of these victories, he now holds multiple positions on foundations as the Republican Party's guru on American culture. His groups hold meetings on the state of American culture and invite all the usual journalists and report-writers from D.C. and New York. All that's missing are novelists, poets,

playwrights, painters, musicians, and film directors—anyone, in short, who has anything practical to do with American culture.

There, in a nutshell, is the Republican Party in the 90's: speeches without substance, policies without results, distinctions without differences. They are allowed to go on in this way for two reasons: first, because the Democrats are too cowardly to oppose the President on any fundamental point; they showed a whole warbonnet full of white feathers during the so-called Gulf War. Secondly, the American people of all classes and levels of income are a lot dumber than H.L. Mencken ever dreamed. Give him a bellyful of instant food, a case of beer (or Chardonnay), and a medicine cabinet full of prescription dope, titillate him with a steady stream of soft porn on his VCR, and the American voter will ignore the evidence of his senses and support the Tweedledums or Tweedledees offered by the two wings of the ruling party.

The Democrats, give them their due, have some faint notion of what is wrong. American voters, they must believe, will grow tired of watching the evening news: Serbs killing Croats, Zulus killing Xhosa, amateur night in the Kremlin, and who knows what bogus international crisis will be used to boost the ratings next week. Eventually, the Democrats hope, the mob will get tired of their circuses and begin to worry more about their bread, their schools, their highways, and their personal safety. Personally, I doubt it. If an American man can no longer earn an income sufficient to support a family, he can always send his wife out to work, and if she loses her job, there is always the government to turn to. Most of the country—workers almost as much as AFDC mothers—is now made up of dependents, negotiating benefits, planning for retirement, demanding their rights. Who ever heard of zombies making a revolution?

"You may say I'm a dreamer," but I

Let every competent level of society—individual, family, neighborhood, town, county, state, and nation—manage its own affairs.

Thomas Fleming is the editor of Chronicles. This article originally appeared in the December 1991 issues of Chronicles and is printed here with the author's permission. Cameron Humphries is a junior from Dallas, Texas.

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would like to imagine there is a sufficient number of Americans who would rather live free or die. If the decent elements could take over either major party or, what is more probable, start their own, what would this new America First Committee be like?

In domestic affairs, the committee could not improve much upon Doug Wilder's statement. When Patrick Buchanan made a similar statement in an America First manifesto in the Washington Post, his liberal critics asked why the people of Nebraska or Alabama should have to foot the bills for the South Bronx. Presumably, they would rather spend the money on foreign aid and cannot distinguish between poor Americans and Pakistanis. But there is a better answer to this question than nationalism. If Americans should put American interests above those of Pakistan, New Yorkers should take care of New York. To put it in more familiar terms for Governor Wilder, Virginians—not Americans in general—should look after the interests of Virginia, and the people of Winchester ought to assume responsibility for their city. Governor Wilder, who is not known for his devotion to Catholic theology, may be unfamiliar with the principle of subsidiarity, but that principle—in America we used to call it federalism, the old federalism—is the best guide to follow in making political arrangements. Let every competent level of society—individual, family, neighborhood, town, county, state, and nation—manage its own affairs. America First also means my family first, Charleston first, South Carolina first.

On the national level, we would expect the federal government to begin performing the important duties it has arrogated to itself. The Interstate Highway system is in need of repair. The Border Patrol needs beefing up. The national

parks are being destroyed by the tourists who are turning them into RV tracts. On the other hand, when the federal government quits wasting our money on welfare, AIDS research, and the defense of Europe against imaginary enemies, and when state and local governments are free to carry out their own projects and policies without the burden of federal mandates and guidelines, the old federalism might begin to work again. A depressed city like Rockford, Illinois, might just be able to spend its own money in taking care of its own people. As it is we pay taxes to support Chicago schools, comfort AIDS patients in San Francisco, and provide arms to Egypt and lavish welfare to Tel Aviv.

Governor Wilder declares he is not an isolationist. If that is true, then his "putting America first" is a hollow gesture. We cannot be free or prosperous at home, so long as our Presidents continue to gratify their vanity with international power games. It is now a year since we started bombing Iraq back into the Stone Age, and what do we think we gained by it? Bush and Baker, it is true, now have a freer hand to carry out their long-held dream of bringing Israel to heel, but those of us who do not harbor ill will against our ally in the Middle East will not regard this as a great benefit. The foreign policy dictators of the only remaining "superpower" must be constantly irritated by Israel's refusal to take orders from the nation that pays its bills. The proper American response, however, should be to cut off the flow of aid, the billions and billions of dollars wasted in foreign aid everywhere, not to bully one of the few successful countries outside Europe.

If leverage over Israel is the only plus, what are the minuses? No one dares total up the dollar amount of the bills. Some economists are saying that the Gulf War cost each American citizen some three hundred fifty dollars. In my family of six citizens, that adds up to twenty-one hundred dollars, but the figure does not include the cost of financing the debt. I suspect my family's share will cost out to five to ten thousand dollars. For that amount, I could take all six of us for a vacation in some spot a great deal more pleasant than the Middle East.

The monster Hussein has repressed liberties, invaded a neighbor, and killed civilians. But after killing thousands upon thousands of civilians—men, women, and children, we have left the monster Hussein in power. It still requires threats of a new invasion to force Iraq to comply with UN resolutions. I wonder, though, how readily George Bush or Mr. Shamir would comply with resolutions that infringed upon the sovereignty of *their* countries.

What a country we have become, with our patriotic songs and yellow ribbons commemorating something like a genocidal slaughter of a primitive people who happened to get in the way of Mr. Bush's rhetoric. For the next four years we will be treating ourselves to encomia upon the triumph of

American arms over the barbaric Germans, who committed war crimes, bombed civilians, slaughtered the innocent, simply because they were Slavs, Jews, or gypsies. It is good for a nation to remember its victories, and I shall join the celebration, but if we ever thought we were somehow different as a nation, unwilling to soil our hands in the blood of empire, that illusion should be dissipated now.

It is an interesting fact that almost all the best American poets of the time—Pound, Eliot, Frost, Stevens, and Jeffers—despised FDR. In this sentiment they were joined, generally, by many of the best and brightest in the country.

Whether or not America might have stayed out or ought to have stayed out of the war is a subject for historians to debate, but the motives and integrity of most America Firsters cannot be honestly impugned. The committee's rank and file may have been predominantly "conservative," which in those days meant pro-business and antisocialist, but they were joined by a great many liberals.

My point in stressing the diversity of the America First Committee is simple. Neither party affiliation nor ideology gave the movement its cohesion. It was opposition to the war and affection for their country that bound the members together into a movement. A new, patriotic political movement might have emerged, but for World War II and the Cold War that followed. So long as the conservative opposition defined itself in essentially anticommunist terms, there could be no real counterforce to check the Republican-Democrat ruling establishment.

The collapse of the Soviet Empire has meant, in terms of practical American politics, the complete triumph of the Cold War liberals who constructed the welfare state as a means of pacifying the poor. But nature abhors a vacuum, and even as the Soviet Empire breaks up into pieces, patriotic and regionalist parties are making gains in France, Germany, Italy, and—most recently—in Sweden. In America, on the other hand, we have yet to get beyond the level of speculation. The first hurdle is the little matter of the politicians we have in power.

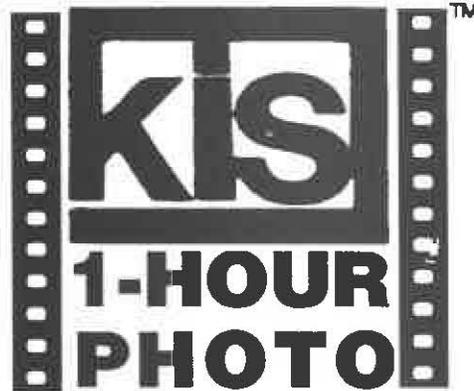
So long as voters continue to cry in their beer and vote for Howard Metzenbaum, Joe Biden, and Arlen Specter, there is no motivation for disturbing a comfortable and lucrative status quo that ensures safe seats and freedom from censure or scrutiny. The Senate is riddled with corruption, and even one man of middling courage could make life miserable for the other 99. There may even be such middling honest men sitting now among the tired war-horses of that undistinguished body, but until their seismographs can detect the first tremors of a popular earthquake, they are right to take no risks.

If there is a saving remnant of independent Americans, now if ever is the time for them to express their discontent with what the Italians call *partitocrazia*. We must learn to throw away our votes on impossible Third Party challenges. But, I

am always told, we can't let Mondale or Dukakis into the White House. Nonsense. If the country can survive Jimmy Carter and George Bush, it can survive anything. Of course, President Dukakis would have ruined the American economy as he ruined Massachusetts, but he would have also created an angry opposition. Without that opposition, the American Empire will continue to harden its silos and fortify its positions until no one, on either the left or right, will dare speak out against it.

Until one or the other party picks up the standard of rebellion, they both must be rejected by every American who opposes the current regime. In one respect, both parties are right, and that is in their mutual accusations and condemnations. The GOP is, in fact, turning into the party of Michael Milken and Ivan Boesky; the Democrats are, in fact, a rainbow coalition of everyone who is not white, straight, married, moral, or religious. They ought to be induced to kill each other off. If (speaking now as a straight white male addicted to blood sports)—if I may use a hunting metaphor, what we need is a trick shot: we have to shoot the elephant in such a way that he falls on the donkey and crushes it. It might take a generation just to haul away the rotting carcasses, but we would be able, for the first time since 1932, to breathe clean air. How many of us, I wonder, are so used to the pollution that we have begun to like it? We shall never know, until we have created the first real opposition since 1941.

Thomas C. Bradshaw III



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Mark 8:13-19

"And he went around to the other side of the hill [1] and called to him those who he desired; and they came to him. And he nominated [2] twelve to be with him, and to be sent out to dialogue and to have authority to cast out racists: Simon, whom he sur-named Shabazz; James, the son of Zebedee and John the lover of James, whom he named *Boaner-Cays*, that is thighs of thunder; Tawana and N'krumna, Mary Magdalene and Salome, Hiroshi, and Jugdesh; Run-ning Buffalo; Che the Zealot; and Judas the Caucasian who betrayed him."

Matthew 12:10-13

"And behold, there was a person who was manually challenged. And they asked Jesus, 'Is it lawful to heal on the Sabbath? Not that there was anything particu-larly wrong with him in the first place, mind you!' and that they might accuse him of bias against the differ-ently abled. He said to them, 'What person of you, if he or she has one sheep and it falls into a pit on the Sabbath, will not lay hold of it and lift it out? Of how much more value is a sheep than a man! But people have rights, too. So it is lawful to do good on the Sabbath.' Then he said to the person, 'Stretch out your hand.' And the person stretched it out, and it was temporarily abled like the other."

Mark 9:2-9

"And after six days, Jesus took with him Shabazz and James and Joan, and led them around to the other side of a high mountain apart by themselves; and he was transfigured before them, and his garments became glistening, intensely black, then changing unto brown, then red, then yellow, then lavender, as no fuller on earth could dye them. And there appeared to them Moses and Miriam; and they were dialoguing with Jesus, 'Comrade, it is well that we are here; let us establish three minority scholarship endowments, one in your name and one for Moses and one for Miriam.' And a cloud overshadowed them, and a voice with no particular accent came out of the cloud, 'This is my beloved Child, listen to it.' And as they were coming back around to the other side of the mountain, he suggested they tell no one what they had seen until the Child of Person should have risen from among the ontologically challenged."

Mark 10:46-52

"And they came to Jericho; and as he was leaving Jericho with his disciples and a great multitude, Bartimaeus, a visually challenged welfare recipient, the son of Timaeus, was sitting by the roadside. And when he heard that it was Jesus of Nazareth, he began to cry out and say, 'Jesus, Child of David and Michael or Bathsheba or Abishag, have solidarity with me!' And Jesus stopped and said, 'Call him.' And throwing off his mantle he sprang up with great agility unmatched by most sighted folk, and came to Jesus. And Jesus said to him, 'What do you want me to do for you?' And the visually challenged person said to him, 'Comrade, affirm me in my differently abledness.' And Jesus said to him, 'Go your way, your attitude has proven your wellness; indeed, you are weller than the rest of us.'"

Mark 14:3-6

"And while he was at Bethany in the house of Simon the dermatologically challenged, as he say at the table enjoying a vegetarian meal, a woman came with an alabaster jar of ointment of pure perfume, very costly, and she broke the jar and poured it over his head. But there were some who said to themselves indignantly, 'Why was the ointment thus wasted? For this ointment might have been sold for more than three hundred denarii, and given to the poor.' And they reproached her. But Jesus said, 'Of course! You're right! What was I thinking of? Here, let's see if we can scrape some of it up.'"

Mark 2:16-17

"And the scribes and Pharisees said to his disciples, 'Why does he eat with Republicans and sinners?' And when Jesus heard it, he said to them, 'Those who are temporarily abled have no need of a physician, but then, neither do differently abled. Come to think of it, I'm not sure why I eat with them.'"

Footnotes:

1. lit., "he went up into the hills," but vertical imagery implies elitism.
2. lit., "appointed," but this implies authoritarianism.
3. lit., "nard," but this looks like the word "nerd" and might offend geek readers.

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Lacrosse '92

by Robby MacNaughton

Washington and Lee men's lacrosse coach Jim Stagnitta enters his third season excited by the prospect that he will coach a team that not only has proven itself on the playing field, but one that also distinctly bears his signature. Senior co-captain Jeff Roberts said about this year's group of seniors, "When coach Stagnitta first arrived here we were all sophomores and really did not know what to expect from his new system. Three years later, and mostly due to

disappointing. The Generals return a talented group of upperclassmen, complemented by a fine freshmen class. The task of staying near the top of the Division III picture is in capable hands. Among the key returnees are co-captains Roberts, Drew Anton, Jeff O'Brien, and Robert Huke. These four players constitute a group whose performance will be a major factor in the Generals' success. Anton states that in the upcoming season, "due to our hard work in the off-season all of us are confident that we can win. No one, though, underestimates

the stern test that this year will provide. We are young in certain areas and we need to be tested early." Among these early tests is a February 21st scrimmage at the University of North Carolina, last year's Division I National Champion. This encounter will allow the Generals to see where they stand early in the year. Some of the freshmen expected to see early action are attackman Andy Dutton, face-off man Michael Lessi, and midfielder Ty Tydings.

Aside from an early game at Virginia, the highlights of the Generals schedule include games versus Gettysburg and Washington College, both of whom are perennial powers. The Gettysburg game will be showcased at night at Lexington High School. When these important games roll around, the Generals hope to overcome last year's loss of seven seniors including leading scorer Mike Moseman, All-American midfielder Clark Wight, and goalie Tom Costello. This year W&L will look to Roberts, a three year letterman, to lead the attack.



Coach Stagnitta's efforts, we are a much tighter and more confident group."

In two short years Stagnitta has guided the Generals back into the national spotlight. In his first campaign the Generals finished the season ranked No. 11 in the nation. Last year W&L was ranked as high as No. 5 and ended the season with a berth in the NCAA Tournament. Although a traditionally tough schedule awaits this year's team, the 1992 season should not prove

disappointing. The Generals return a talented group of upperclassmen, complemented by a fine freshmen class. The task of staying near the top of the Division III picture is in capable hands. Among the key returnees are co-captains Roberts, Drew Anton, Jeff O'Brien, and Robert Huke. These four players constitute a group whose performance will be a major factor in the Generals' success. Anton states that in the upcoming season, "due to our hard work in the off-season all of us are confident that we can win. No one, though, underestimates

Robby MacNaughton is a sophomore from Greenville, South Carolina.

Others expected to contribute to the Generals attack will be juniors Jay West, Rhett Hancock, Dave Lefkowitz, and sophomore Jeb Tilly, all of whom saw extended playing time last season. It will be very important for the Generals to find a sufficient replacement for Costello in the goal. Costello played a major role in the Generals success last year. David "Knothead" Hunter and Coleman Devlin seem to be the most likely candidates for the job. O'Brien, Huke, Josh Levinson, and Kirk Olson should come together to mold the Generals into an intimidating defensive force. As was the case last year, the real strength of the Generals should be in the midfield, where Anton, John Hunter, Derrick Hutton, and Colin Higgins highlight a formidable group. The Generals will miss sophomore Scott Mackley due to a knee injury.

With the explosive offense and matured defense that the Generals possess, expectations around campus are running high. Such expectations are paralleled by the forecasts that predict the Generals repeating as ODAC Champions and finishing among the top eight programs in Division III. These thoughts are best expressed by Drew Anton who said, "We know we can win. We have a fantastic coach, a lot of tightness among the guys and great teamwork. The training habits Coach Stagnitta has instilled in us should take this team and future W&L teams a long way." A Final Four spot is certainly not an unachievable goal for the 1992 squad.

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The Subtle
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Letters

(continued from page 6)

to restore integrity to the W&L experience, a similar policy should be established at our University. Hillsdale College bases its integrity upon avoiding Federal Funding.

Washington and Lee has indeed strong precedence for such action. General Lee's actions, of course, were in response to his opposition to attempts by the Federal Government to force its views upon the studies. I can now perceive a similar struggle occurring on University campuses across the country. Accordingly, were our alma mata to take such a stand, in the company of Hillsdale College, would be consistent with the General's beliefs—and unencumbered by the baggage of slavery!!

I am interested in communicating with other alumni of similar persuasion. If indeed there were enough interest to seriously pursue the matter perhaps a meeting with such alumni and the Board of Trustees could be arranged. I would be in the forefront to contribute to and assist the formation of sufficient endowment to provide for Federal independence. Undoubtedly it would make for some hard and uncertain times but the long term benefits would be worthwhile.

Congratulations, thank you and with best regards,
David V. Young '81

A FEW GOOD WORDS

Your publication is insightful and addresses the real concerns of past and present students.

Dwight Emanuel, Jr. '84A
Alumni Dallas Chapter President

WHAT ABOUT THE ALUMNI?

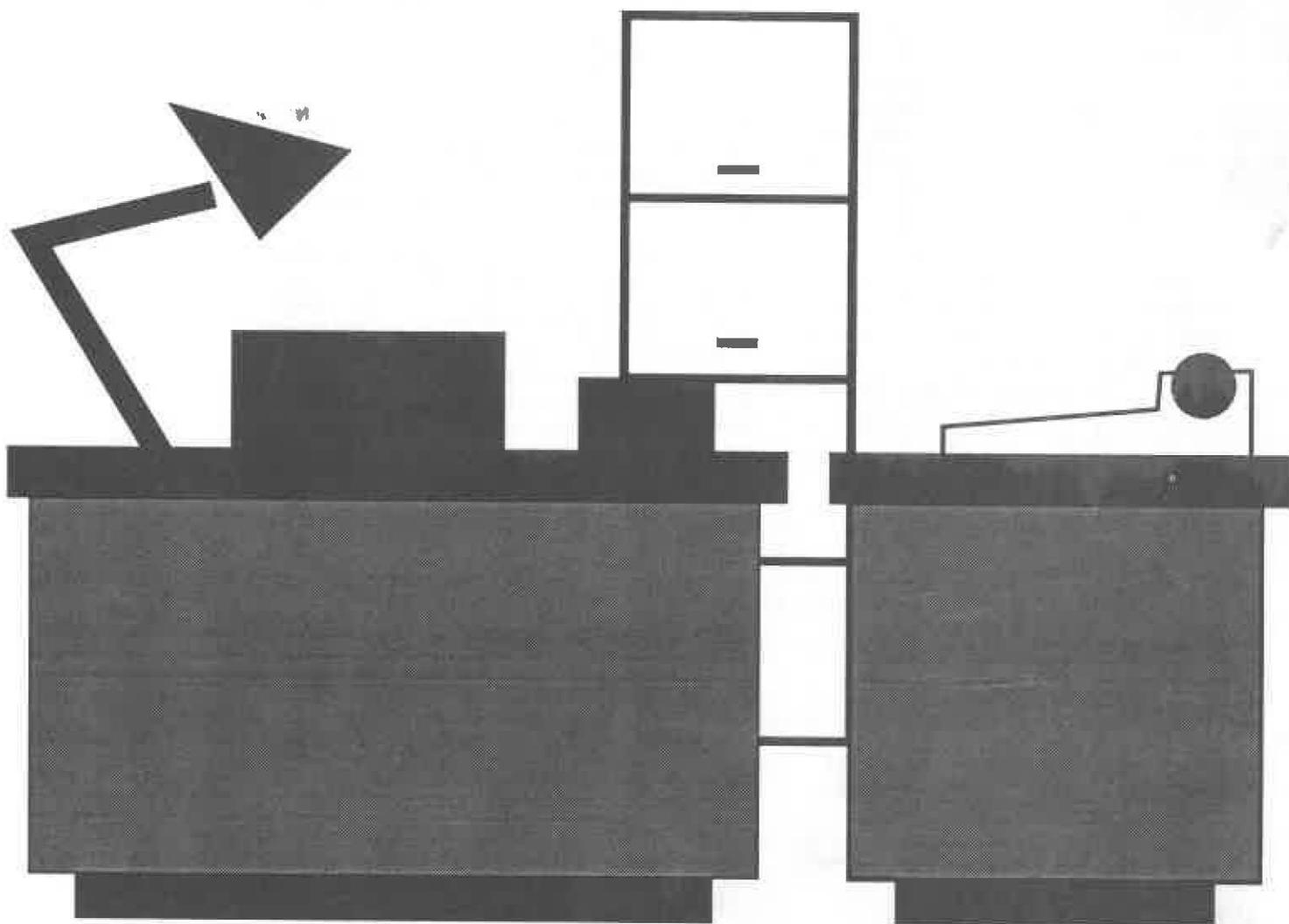
I recently was given a copy of your publication by a W&L administrator, and am very pleased and impressed. I will look forward to my new subscription.

Have you considered having a column, or occasional items, written by one of our University's alumni? I think this would provide all your readers with a viewpoint much like your own. You'd be pleasantly surprised how supportive alum's are of the "traditional" school, as opposed to some more recent changes.

John R. Maass, '87

Editor's Note: The Spectator has published a few articles by alumni, but not as many as we would like. This publication, much like the University itself, belongs to the alumni just as much as it belongs to the student body. We will gladly accept alumni articles, and should interest prove sufficient, we will establish an alumni column.

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