

The Perilous Quest for Equal Results

Amy L. Wax

KEY TAKEAWAYS

The aggressive, dogmatic liberal pursuit of equality of group outcomes is driving higher education.

This obsession threatens the core of the academic enterprise, which is the disinterested pursuit of truth.

Government and private donors need to rethink financial support for schools that have become self-perpetuating bastions of anti-Western and anti-American thinking.

Thank you for inviting me to deliver the Kirk Lecture at The Heritage Foundation. I am honored to be here before this distinguished audience.

The Future of Free Expression

I am going to begin with a brief account of my recent experiences at Penn Law School, and will then try to draw some broader lessons from that experience for the future of free expression in universities and in society as a whole. In doing so, I will trace some of the ominous developments in academia to a recent unfortunate trend: the demand for equal outcomes for the identity groups that have proliferated in our increasingly fractured society.

My strange saga began on August 9, 2018, when *The Philadelphia Inquirer* published an op-ed that I

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co-authored with San Diego law professor Larry Alexander, titled “Paying the Price for the Breakdown of the Country’s Bourgeois Culture.” The piece listed some of the ills currently afflicting American society and suggested that a renewed embrace of so-called bourgeois values—and a revival of a well-worn cultural script for mature adulthood that prevailed before the 1960s—might help relieve some of our problems.

In what became perhaps the most controversial passage of our piece, we pointed out that all cultures are not equal. Some are more successful than others in preparing people to become productive citizens in a modern technological society. The next day, in an interview with a student reporter from the University of Pennsylvania’s school newspaper, *The Daily Pennsylvanian*, I defended the assertion that some cultures are better than others—“functionally superior” was the term I used—by pointing to how people vote with their feet: Migrants from around the globe flock to predominantly white European countries. They don’t risk their lives in rickety boats or pay smugglers to take them to Venezuela or Zimbabwe.

Our op-ed and the selective statements from my interview quoted in the *Daily Pennsylvanian* evoked immediate reactions from the media, the public and academia. Groups at Penn and elsewhere labeled me a racist, bigot, white supremacist, xenophobe, hater—the familiar litany of accusatory terms. A group of colleagues soon published a piece criticizing our op-ed’s praise of the 1950s on the grounds that the shortcomings of that era, which we acknowledged in the op-ed itself, rendered the whole period irredeemably evil. That was a flimsy argument, but at least it was an argument. Then matters took a darker turn. At the end of the summer, 33 of my colleagues at the law school signed a so-called open letter published in *The Daily Pennsylvanian* that “condemned” and “categorically rejected” all my views. That letter contained no justifications, explanations, or reasons. It was devoid of any argument. It didn’t even bother to specify the views it was denouncing. After a storm of online criticism of the open letter, one month later, the main instigator of the letter, a colleague of mine at Penn Law, posted a rambling 15,000 word “refutation” of our 800-word op-ed on the website of Heterodox Academy, arguing, in effect (I’m paraphrasing here, to the extent that I can understand the gist of his piece), that bourgeois values are worthless and make no difference for a society or for the success or well-being of its citizens.

In response, I pointed out to the author–instigator, via e-mail, that the data support the conclusion that adherence to those values matters. For example, Isabel Sawhill and Ron Haskins of the Brookings Institution have amassed data indicating that adherence to the so-called success

sequence—graduating from high school, marrying before having children, and working steadily—greatly reduces a person’s chances of being poor. I suggested that other habits, such as thrift and probity (that is, avoiding lawbreaking) would diminish the chances of falling into poverty even more.

I then asked him whether he would rather live in a neighborhood where most people exemplify bourgeois values, or most do not. He flat-out refused to answer. He justified his refusal by stating that he deals with “facts” and not “hypotheticals.” Having worked as an appellate lawyer for many years and having argued before the United States Supreme Court 15 times, I immediately thought of the response that such a statement would elicit from Chief Justice Rehnquist or Roberts. Let’s just say it would be disdainful, at best. Why? Lawyers do hypotheticals. Not only did my colleague refuse to engage my queries, but he never did get around to telling me why it was necessary to gang up on me and publicly condemn me before addressing—incompletely at best—the argument in our op-ed.

Advancing a Progressive Agenda by Any Means Necessary

My feeble attempts to engage with my colleagues came to nothing. One colleague whom I greeted on the street told me angrily that the hurt and damage our op-ed had inflicted on Penn Law had ruined his summer. Another explained that the open letter was necessary to “get my attention” so I wouldn’t write anything like that again. In other words, the signatories hoped I would just shut up. These were not responses welcoming to dissenting views, to say the least. These fellow professors regarded me as an enemy, not the friendly opposition. Theirs was the language of hostility, not respectful engagement.

A few months after our op-ed appeared, the dean of Penn Law, my own dean, Ted Ruger, came to my office to ask me to take a leave of absence for the following year and to stop teaching a mandatory, core first-year law school course in civil procedure, which I had taught for over 20 years. (Largely on the basis of that course, I had in 2015 won a university-side teaching award, the Lindback Prize, given yearly to a handful of professors at the University of Pennsylvania.) The dean cited continuing pressure to banish me from Penn Law and expressed his hope that my “going away” would quell the controversy. I refused to take a leave. When I reported our conversation in a *Wall Street Journal* op-ed the following February, Dean Ruger publicly denied he had asked me to leave for the reasons stated. I assure you he had. And then he sent me an irate e-mail from his iPhone stating “You’re lying, Amy.” Of course, he was the one who was lying.

Who is responsible for the growing hostility to free expression within the academy today? With few exceptions, it is the progressive Left, which overwhelmingly dominates academia nationwide.

These events surrounding the publication of our op-ed demonstrate how key rules of the road for academic discourse, and indeed for basic decency and enlightened conduct—rules like engaging in courteous, civil debate, giving reasoned justifications for positions, not calling names or using slurs, and being honest and forthright—were routinely violated at my institution, as they are increasingly at other universities as well. Of course, those violations are all for a “good cause”: advancing a progressive agenda by any means necessary. Pursuing that agenda, under the banner of advancing “social justice,” is now imperative within the academy, and in many parts of society as a whole, especially those controlled by our so-called educated elites.

Compromising the Search for Truth

It is important to clarify that these unfortunate trends are not best understood as violations of First Amendment rights, which apply only in public, and not private, institutions. (Although it receives large sums from the government for various programs, the University of Pennsylvania is formally a private institution, and not an arm of the government.) Within higher education, which is where I operate, the critical threat is to academic values, not primarily to First Amendment rights. This distinction is important. Maintaining the divide between public and private sectors, with different rules applying to each, is a pillar of our American system, and helps minimize the government’s power to control our lives. Our Constitution permits private educational institutions to censor all they want. They have the power to shut down and punish dissenting and unpopular views. My argument here, however, is that they should not do so. Rather they should give the widest possible ambit to unorthodox ideas. Why? Because providing a forum for the expression of a range of opinions and positions across the ideological spectrum is essential to the academic enterprise itself. Universities exist not only to transmit knowledge across generations, but also to generate knowledge and to search for and discover truth. Without

wide-open debate and expression, the search for truth is bound to be seriously compromised.

Who is responsible for the growing hostility to free expression within the academy today? With few exceptions, it is the progressive Left, which overwhelmingly dominates academia nationwide. Under that dominance, power and politics determine who gets to speak and what they get to say. In today's climate, universities are less and less sites of free and fearless inquiry. Rather, they have become centers of orthodoxy and "political correctness." Jonathan Haidt, responding on the Heterodox Academy website to my colleagues' letter denouncing me puts it well: "Every open letter you sign to condemn a colleague for his or her words brings us closer to a world in which academic disagreements are resolved by social force and political power, not by argumentation and persuasion." We are perilously close to that world today.

The Crime of Causing Discomfort

Which brings me to the denouement of my story and the lessons I want to draw from these developments that are pertinent to the title of this talk: the distortions, deformities, and threats to academic values from the growing pursuit of equality of results and outcomes, regardless of facts or foundations.

Sometime after our op-ed was published, student activists from the Penn Law Black Law Students Association, in looking for dirt on me, unearthed and then complained about a Bloggingheads.TV podcast I had made a number of months before, at the invitation of Brown University economist Glenn Loury, who himself is black. During that podcast, Loury introduced the topic of affirmative action in law school admissions. I made the point that racism was an implausible explanation for the disparities observed between minorities and other law students in post-graduate outcomes, including obtaining prestigious judicial clerkships and partnerships in high-level law firms. Rather, student performance as reflected in student grades—"supply side factors" in the economists' parlance—were a better explanation. I then asserted—and these were the words the black law student activists objected to—that I could not recall any black students at Penn Law graduating in the top echelons of the law school class, and also that very few black students had scored in the top half of my own first-year civil procedure class during the 20-plus years I had taught the course. I acknowledged to Loury that I did not have a full picture of the situation for the school as a whole, because the performance of minority students was "a closely guarded secret" at Penn Law, which indeed it is.

I should add that, in making these remarks, I was drawing on my own experience, not just my teaching, but also my years of service on the clerkship committee, where student rankings data are assembled and disclosed to faculty members, and my attendance at law school graduations.

I went on to speculate that affirmative action sometimes places minority students in settings where they are academically overmatched, an experience that could prove to be a bruising uphill battle for some, with ramifications and repercussions beyond law school.

Once unearthed, my observations about student performance went viral, resulting a social media blitz and a campaign, spearheaded by the black students at Penn Law, to remove me from teaching the mandatory first-year civil procedure class. This time, the dean acquiesced in short order—a decision he announced, with no prior notice to me, to the entire Penn Law community in a lengthy e-mail message.

It is instructive to consider what that message said, and what it did not say. The dean faulted my assertions about student performance, which he characterized as “false.” But, in a typical Catch-22, he offered no data to back up that accusation. (And, I should add, he has provided no evidence to the present day.) He simultaneously asserted that the school doesn’t collect information about student performance by race—raising the question, never answered, of how he knew that my observations were incorrect. He stated that I had violated confidentiality policies, but cited no authority for this. Most tellingly for our purposes, he maintained that black students assigned to my class

may reasonably wonder whether their professor has already come to a conclusion about their presence, performance, and potential for success in law school and thereafter and may legitimately question whether [the] inaccurate and belittling statements may adversely affect their learning environment and career prospects.

The key phrase here is that the supposedly “belittling” statements I made about black students might “adversely affect their learning environment.” One might reasonably ask: What does that mean, and how are such effects to be gauged? Can the dean’s claims be examined objectively? Do minority students in my class, for example, earn lower grades than in other first-year classes? Do I actively penalize minority students? That suggestion would be a non-starter. First-year grading is blind, which means I do not know who received which grade until after the grades become finalized.

Perhaps the dean is trying to say that my presence in the classroom impedes learning; but then minority students should do worse in my procedure class

than in other professors' procedure courses or in other first-year classes—possibilities that could be easily verified or refuted by looking at the numbers. So far, no effort whatsoever has been made to investigate or verify these implications. And my prediction is that no effort will ever be made, because, I submit, the facts are beside the point. The beauty of the dean's allegations is that facts really do not matter. The dean's message, including his assertions and supposed "reasons" for stripping me of my teaching duties, is a completely fact-free zone. Rather, what matters are perceptions and feelings. Professors who hold unpopular positions or make inconvenient empirical assertions are psychologically toxic—and that's all that counts. If their presence causes offense and distress, feelings of disparagement and insult, or fears of ill treatment and discrimination, that is enough to justify ejecting them from the classroom. Of course, these perceptions and feelings are subjective and self-confirming, and thus immune to challenge. It is all in the mind of the beholder, and the beholder's mind reigns supreme.

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What is wrong with this picture? As Glenn Loury has eloquently pointed out in criticizing my dean's decision to take away my course, allowing student discomfort to determine whether a teacher gets to teach amounts to a weapon of mass destruction, an all-purpose device for penalizing professors who hold unorthodox views or discuss distressing realities.¹ The possible scenarios are endless. Objections based on hurt, discomfort, offense or disparagement can be concocted out of an array of observations or positions: that some groups perform better than others; that a professor supports President Trump and his policies; that she believes that colonialism was sometimes a positive good; that women are, on average, less interested in science than men; or that illegal migrants should be deported; or anything else that affronts the progressive worldview approved by the reigning thought police. Suppose that I assign Charles Murray's book *Human Accomplishment*, which shows that men are responsible for almost all of the great technical and conceptual achievements

of mankind. Will women students feel “belittled” and offended by such observations? If so, out goes the professor. The decision to indulge these reactions knows no bounds and is especially pernicious in assuming away professionalism. Ejecting professors for politically unpopular views assumes that they are unable to separate their ideological positions or scholarly conclusions from classroom conduct and academic relationships.

The Pursuit of Equality of Outcomes

This brings me to the topic of the quest for equal results, a project which I believe is grievously eroding academic values today. I submit that the aggressive, dogmatic progressive pursuit of equality, defined as equality of outcomes, and especially group outcomes, has become an item of faith among the powers that be in the academy. The pursuit of equality of outcomes is central to the obsession with identity, diversity, and inclusion that now pervades our universities. These obsessions threaten the core of the academic enterprise, which is the disinterested pursuit of truth. And that threat now extends into key sectors of society—the media, the workplace, the professions, big business, non-profits, and the entertainment industry—which are dominated by those educated in selective universities. By casting a pall of orthodoxy on thought and speech, the demand for equal results leads inexorably to the twisting, hiding, and distortion of reality and the punishment of those who point to inconvenient facts and discuss uncomfortable ideas at odds with the equality ideal.

As David Azerrad of The Heritage Foundation has observed, in the service of equal results, all right-thinking people are constrained to “denounce the mistreatment of designated groups at the hands of an unjust society and to praise their accomplishments, whether real or fake, genuine or fabricated. Those who venture beyond this safe space...do so at their peril.”²² The accuracy of his words is reflected in the reactions to my statements and observations about bourgeois values, cultural differences, black student performance, and the downsides of affirmative action.

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How are the imperatives surrounding equal results enforced? Ideas about group differences, and observations about possible sources of those differences, must be suppressed and denied. Or they are manipulated and distorted to fit the dominant narrative, which is that ours is an irredeemably racist, bigoted, or sexist society. It follows that all group disparities, to the extent they are acknowledged, necessarily flow from discrimination, which is everywhere and unavoidable. “Structural discrimination” is the watchword. Pervasive and perdurable, this form of discrimination admits of no disproof.

A Climate of Enforced Orthodoxy, Fear, and Intimidation

Correct thinking on racial preferences is even more baroque and self-contradictory. All virtuous and right-thinking people accept that affirmative action is good and necessary. Opposition is, by definition, unenlightened, selfish, and racist. But the academic gaps that make preferences necessary, which are repeatedly measured and glaringly obvious, and which persist despite long-standing and expensive efforts to close them, may not be mentioned in polite company. Bringing up those disparities, or describing them for the purpose of critiquing current policies, is regarded as the height of effrontery. Alternatively, correct-thinking people claim, those gaps are illusory, or they are simply a function of privilege and wealth, or meaningless for future competence or success, or the product of societal racism. And, of course, they are amenable to instant correction through the offices of racial preferences, services, programs, diversity initiatives, and other top-down interventions without end.

Indeed, central to the practice of affirmative action is a tenacious myth, which I have elsewhere deemed the central myth of affirmative action: Once beneficiaries arrive at their institutions of higher learning, they instantly catch up. Affirmative action works its magic (through an effect dubbed in some quarters “magic dirt”) and group differences disappear. Any suggestion that the myth is just that—that performance gaps are stubborn and often persist—is reconfigured as an attack on minority students, or as a biased assertion of their inferiority, or as a declaration that “they don’t belong here.” These are all charges leveled against me. The inevitable result of such “disparagement” or “belittlement” is, of course, hurt, offense, and psychological trauma. Such consequences are regarded as unacceptable. Above all, minority students must be protected. Those who bring up awkward facts or advance unacceptable theories about group differences must be penalized and, ideally, purged.

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In the climate that prevails in the university as well as many workplaces, the standard set of progressive rhetorical moves, with its focus on psychological harm above all, amounts to the position that affirmative action may never be assessed or questioned. It's untouchable. The evasions that surround affirmative action are part of a broader pattern that has taken over across the board. Unequal outcomes must be ignored, denied, or eliminated. If noticed, they must be ascribed exclusively to the social evils of racism and discrimination. Is it any wonder, then, that stories in the mainstream media (such as *The New York Times*) or even in professional journals (such as *The New England Journal of Medicine* or the *Chronicle of Higher Education*) that bemoan the paucity of blacks or Hispanics in the professions or in high echelon jobs so often, and perversely, ignore the "supply side"? One reads story after story that never even mentions the well-established fact that test scores and other measures of academic performance and learning are powerful predictors of occupational achievement and success. In the same vein, group differences in rates of school discipline, wealth, home-ownership, credit and lending, the list goes on, can never be attributed to anything that victims do or choose, or to their behavior or performance, or anything over which individuals normally can and do exert some degree of control. Rather, external forces—racism, discrimination—are all that count.

Examples are not hard to come by. Heather Mac Donald of the Manhattan Institute has recently noted that official and media reports on patterns of school discipline, including higher rates of suspension and penalties imposed on minority boys, ignore or deny differences in rates of offending, even though there is good evidence that such differences exist and are driving the observed disparities.³ Rather, the explanations offered are racism, discrimination, and unfair treatment. In lending and home mortgages, more stringent terms for minorities must likewise be ascribed to discrimination, and not spending patterns, level of savings, and credit scores. Evidence pointing to the importance of such factors is dismissed or ignored.

Which brings me back to affirmative action and how we are not allowed to talk about it honestly. The irony here is that many good conservatives think that private institutions should be given wide latitude to adopt any admissions criteria they want, and let the chips fall where they may. The problem is that the chips are not allowed to fall. The hopes, indeed the expectations, for group equality that grow out of affirmative action do not stop at the schoolhouse door, far from it. Those expectations feed into elaborate taboos, charades, and untruths that pervade society and affect what respectable people are allowed to think, say, and notice. But where the meritocracy continues to operate—as it still does, more or less, in many sectors of our society, to everyone’s benefit—promised equal outcomes often are not forthcoming. Because people are taught to expect them, and that their absence stems from injustice, illicit “privilege,” and a rigged, self-serving system, resentment, disappointment, and recrimination inevitably ensue. Someone must be blamed, and that someone is the rest of us, those who do not fit into one of the myriad categories of victims. And our avenues for defending ourselves from the charges are blocked: We cannot point to the alternative potential “supply side” causes for unequal outcomes, to behaviors, talents, choices, habits, effort, family structure, and the like. By requiring us to tell untruths on pain of social, and even occupational, death, this regime is humiliating and unfair and generates its own divisions, mistrust, and resentments. These distortions are an important source of our political divide.

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What are the implications of what I have been talking about for the future of educational institutions and academia? Right now, we are dwelling in a climate of enforced orthodoxy, fear, and intimidation. Students, faculty, administrators, alumni, and donors do not feel free to dissent from approved opinions. For a growing number of topics, only a narrow range of views are heard or allowed on campus. The irony here is that measures designed to advance the universities’ announced goals—improving and broadening the

educational experience through greater diversity and inclusion—have had exactly the opposite effect. Greater diversity is supposed to expand the mind through exposure to a fuller range of thoughts and ideas. Instead, the range of acceptable facts and opinions on campus has become more constricted. Diversity means that students must be “protected” from untoward notions, so orthodoxy and political correctness reign. Of course, that is how many progressives in the academy would have it: Despite highfalutin rhetoric and professions to the contrary, they want it that way.

Evidence that narrowing, not broadening, has followed in the wake of the campaign for “diversity and inclusion” can be found in the deliberate and self-conscious politicization of the academy. Institutions of higher learning are adopting official positions on a range of issues, all leaning inexorably left. At my home institution of the University of Pennsylvania, for example, the university has repeatedly issued statements opposing the Trump Administration’s immigration policies and criticizing the enforcement of existing, democratically enacted laws. But the adoption of “official” university positions on issues that should be left to individual judgment is not the worst manifestation of orthodoxy on campus. Rather, the most egregious offenses are committed by students, and especially by the vocal contingents of “social justice warriors,” who function as self-appointed thought police charged with enforcing conformity with prevailing opinion on campus. Students are in constant fear of being called out by their peers for a lengthy list of violations, including racism, sexism, xenophobia, hate, bigotry, white privilege, and toxic masculinity. They are under tremendous pressure not to utter the wrong opinions or say the wrong things. Self-censorship prevails.

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They also are reluctant to associate with anyone who strays beyond the narrow bounds of accepted sentiments and ideas. Because I am a dissenter, and thus regarded as toxic, I have experienced firsthand this “guilt by association.” Last year, I was disinvited at the 11th hour from an event on campus free speech by a student group at Princeton, the Clio Debating Society, an organization professedly devoted to free and open debate! I was also “de-platformed” (through the withdrawal, without explanation, of the organization’s funding and sponsorship of a previously scheduled on-campus

debate on the future of the family) by an undergraduate group at Penn. That organization's mission statement declares: "We are devoted to non-partisan and balanced dialogue and do not adopt positions on political issues; we leave it to our participants to make up their own minds." The discrepancy between this ringing statements and the de-platforming and defunding of my event should be manifest. In the atmosphere prevailing on campus today, such disparities have become depressingly routine. Resounding professions of commitment to intellectual openness and rigorous exchange are no longer taken seriously. They are a form of "cheap talk" that means little or nothing in practice.

The Suppression of Dissent in Higher Education

How have these statements been rendered so hollow? How do the guardians of the orthodoxy, both in the university and beyond, enforce the taboos surrounding thought and speech? The ploys for controlling discourse are now familiar and well-practiced, and I have already alluded to them. Members of universities, and especially the students, have learned to traffic in the parlance of the grievance culture, the 8,000-pound gorilla of a heckler's veto. They routinely deploy the rhetoric of feelings, upset, disrespect, hurt, and trauma. They label unpopular ideas and thoughts as "dehumanizing." They complain of their inability to function in the "unsafe" environment created by dissenting views. These moves work every time. Perhaps that is because, in our vertiginously multicultural world, the evils of psychological "harm"—the harm principle itself—is the only position on which everyone can agree. But this rhetoric is also powerful because it is irrefutable and unanswerable. Claims of "trauma" are beyond the reach of counterevidence, and thus beyond question.

Students also know that those in authority in our universities will back them up, or at least not call them out. They have known this their entire lives. The pattern in elementary and high school is the same. There, and everywhere, demands grounded in these types of subjective complaints are regularly met with groveling and acquiescence by teachers and administrators. Indeed, I am regularly struck by the refusal of those in authority in our education establishment to rebuke or remonstrate with students who interfere with others' expression, or to correct their unreasoned behavior, or to demand rigorous justification for their promiscuous claims. And the situation is, if anything, getting worse. The academy is now replete with growing numbers of diversity bureaucrats who stand ready to monitor attitudes, receive complaints, entertain grievances, and guard sensitivities. In

their never-ending quest to protect victims, who are everywhere, they police vocabulary, identify dog whistles, call out slights, and dictate which terms and ideas are forbidden crime-think. There are so many rules. Nostalgia for the 1950s is hate speech. Reverence for Southern sacrifice is bigotry. Praising Western civilization is white supremacy. Endorsing or arguing for immigration restriction is xenophobia. Distinguishing between legal and illegal migrants is hate. General observations about one's classroom experience are dangerous, as I found out the hard way. There is so much we are required not to notice, or to talk about. Finally, and perhaps most importantly, victim groups—historic, self-defining, and growing in number—have been given virtually absolute veto power over what can be said in our universities, and even over who is allowed to teach.

Victim groups have been given virtually absolute veto power over what can be said in universities, and even over who is allowed to teach.

The suppression of expression and dissent is not only harmful to the academic enterprise, but has baleful effects on students themselves. The obsession with “safety” undermines students’ ability to cope with bruising ideas and unpleasant facts, and discourages the resilience and strength young people need to operate effectively in the real world. Sadly, students who complain about “being offended” both promote and advertise their own psychological weakness, feeding into the negative stereotypes and hoary clichés they purport to abhor. In this vein, I recall the story of a Massachusetts Institute of Technology scientist, Nancy Hopkins, who confessed that she almost fainted and lost her lunch, and proceeded to flee the room, when Larry Summers, then president of Harvard University, suggested that men’s and women’s abilities relevant to success in science might not overlap perfectly—a proposition for which there is actually some evidence. As a woman, I cringe not at Summers’s suggestion but at Hopkins’ reaction. It feeds into every cliché about women’s mental weakness, emotionality, and inability to deal calmly, rigorously, and objectively with challenging ideas. Or think about the women at Google who complained to their bosses that the mere presence of James Damore, author of an infamous internal memo about gender differences in STEM fields, crippled their capacity to perform on the job.

Finally, what about our law students at Penn Law, members of victim groups, who say they need protection from the trauma of being taught by me? They got it, but their victory is a pyrrhic one. I find myself asking whether such people are fit to lead, exercise power, and take responsibility for a demanding and competitive society that will often fall short of the ideal and is bound to deviate from the egalitarian utopia. I have to conclude that they are unfit for the challenges that such a world—our world, the real world—presents. Yet we continue to infantilize our students by giving in to their untutored demands. That is not education. It is capitulation.

Restoring Focus on the Central Mission of the University

What is to be done? Checking or reversing these unfortunate trends will not be easy. Let me briefly throw out some suggestions, albeit somewhat pie in the sky, that I believe would help:

It is essential to remind students of one of the central missions of the university, which justifies its expensive existence and extravagant expansion. As already noted, the university exists, and should exist, to transmit traditions and hard-won, accumulated knowledge. That is essential. But it also exists to add to knowledge, which requires getting at the truth. That mission is an arduous one. It requires patience, honesty and rigor, thorough and even-handed investigation, and lots of hard work. It also depends on the free and wide-open airing of facts and concepts. Students need to be reminded regularly that the truth comes out of the marketplace of ideas, and that maintaining that marketplace is not for the faint of heart. Offense and upset, bruising thoughts and unpleasant facts just go with the territory. They are intrinsic features of an open society, and can never be entirely avoided. We must all toughen up and learn to live with these realities. In the university today students almost never hear these fundamental ideas expressed. They simply are not taught the basic truths about the nature of the academic enterprise and the importance of academic values. They never receive the proper advice.

Apropos, and in a practical vein, we would all benefit from some basic rules of the road for conduct in the university. I myself impose a few simple guidelines for academic discussion and inquiry in my own classes, which have worked surprisingly well. I ask my students, as a condition of enrolling in my classes, to agree to three rules:

1. First, no one will be heard to say “I’m offended.” All have permission to be offended, but no one may express it.

2. Second, students must not accuse anyone else, inside the classroom or out, dead or alive, of being racist, sexist, xenophobic, white supremacist, toxically masculine, paternalistic, or the like. No one may use any derisive identity-based label. Slurs and name-calling are off limits. These don't enlighten, educate, or edify. They add nothing of value. Criticism is fine. Just find another way to say it, and give reasons.
3. Third, no one may complain to administrators, those officious thought police, about anything anyone has said in class. What happens in the classroom stays there.

Is there any chance that such rules would be implemented on a wide scale in the current university climate? I am pessimistic about the prospects for implementation, but confident that such rules would make a dramatic and positive difference.

Finally, I think that government and private donors need to rethink the lavish financial support for higher education, and especially for elite and selective universities. These institutions serve only a tiny portion of the population, which mostly already enjoys relative wealth and advantages. And these schools have become self-perpetuating bastions of destructive thinking, of one-sided anti-Western and anti-American propaganda. Too much of what is taught in academia ignores and even undermines our system's strength.

Too many American universities have become self-perpetuating bastions of destructive thinking, of one-sided anti-Western and anti-American propaganda.

I call this project "defund the Ivys." This is not the place to elaborate at length, but a few comments are in order. The first priority is to get the rich to see that supporting elite universities is not today the wisest or most fruitful use of their hard-earned money. There are worthy alternatives and better ways to improve people's lives. Most importantly, wealthy philanthropists should turn their attention to the projects that would benefit ordinary, average, un-special people, who have been unduly neglected by our elites and increasingly walled off from them. Supporting vocational education; providing grants for job training; helping ex-prisoners get back to work;

funding local infrastructure improvement; cleaning up, monitoring, and beautifying public spaces; rebuilding civic institutions; establishing K–12 public school art, music, and enrichment programs; helping pay relocation costs of ordinary workers; enriching regional theaters; and contributing to summer camp or travel funds for children of modest means are just a few of the possibilities that the wealthy should consider in lieu of large, high-profile gifts to elite private universities.

Everyone asks: “What about science?” Although university science and medicine would appear to be above politics, they are not. Efforts are increasingly expended to conform to diversity and inclusion mandates, push programs galore that claim to advance those goals, and engineer faculty, fellowships, and funding to reflect the expectation and ideal of equal outcomes. Actual science is losing out to these priorities, so those who would support university science should beware. They should think about establishing and funding free-standing research institutions that are less saddled with these priorities and unencumbered by the faddish, counterproductive, distracting mandates that today absorb so much energy in the university, to ill effect.

Finally, we should strive to return to an older conception of equality, one that enshrines opportunity and personal responsibility, and that seeks to strike the balance between equality and liberty that our Founders conceived. Andrew Sullivan, in a recent blog post, put it well: “Liberalism has never promised equality of outcomes, merely equality of rights. It’s a procedural political philosophy rooted in means, not a substantive one justified by achieving certain ends.”⁴

In academia today this liberalism is on life support. It is virtually extinct. In its place is a utopian egalitarian fantasy that depends on denial and the banishment of those who dare to notice reality. Maintaining that fantasy rests on force, not reason. It is antithetical to our way of life. It must be resisted by all people of good will who seek to maintain the signal virtues of our system. I invite you all to join that resistance. Thank you.

Amy L. Wax is Robert Mundheim Professor of Law at the University of Pennsylvania Law School.

Endnotes

1. Glenn Loury, "Reflections on My Interview with Amy Wax," *The Daily Pennsylvanian*, March, 27, 2018, <https://www.thedp.com/article/2018/03/guest-column-amy-wax-glenn-loury-affirmative-action-penn-law-african-american-ruger-upenn> (accessed September 12, 2019).
2. David Azerrad, "America Divided: It Starts with the Democratic Party," *The American Spectator*, October 12, 2017, <https://spectator.org/america-divided-it-starts-with-the-democratic-party/> (accessed September 12, 2019).
3. Heather Mac Donald, "Who Misbehaves?" *City Journal*, April 6, 2018, <https://www.city-journal.org/html/who-misbehaves-15811.html> (accessed September 12, 2019).
4. Andrew Sullivan, "Denying Genetics Isn't Shutting Down Racism, It's Fueling It," *New York Intelligencer*, <http://nymag.com/intelligencer/2018/03/denying-genetics-isnt-shutting-down-racism-its-fueling-it.html> (accessed September 12, 2019).