

THE PRESIDENT HAS SEEN

319196

THE WHITE HOUSE
WASHINGTON

March 19, 1996

MR. PRESIDENT:

The attached Rubin/Quinn memo is the latest installment in the equitable tolling matter. As you recall, in two recent cases, incompetent persons overpaid their tax bills but were barred by the statute of limitations from getting a refund. The government's position has been to oppose equitable tolling, but in January you directed Treasury to develop a legislative fix to this problem.

Treasury has now done that. In essence, Treasury proposes that the statute of limitations be tolled for periods in which a taxpayer was under a demonstrated disability, with proof of disability required (e.g., commitment to a mental institution, judicial determination of incompetency, etc.). This proposal would apply prospectively, so it does not cover pre-existing hardship cases. Treasury estimates the proposal will cost \$362 million over five years (increased processing of claims, upgrading personnel, more litigation), so appropriate offsets would need to be found.

Jack and Bob seek your approval for Treasury to move this proposal as independent legislation and work with Congress to find offsets. Leon and George concur.

Approve ☒

Disapprove ☐

Discuss ☐

Fodd Stern

eg 4/1/96
So far cover cases in litigation for as
believe it'll cost 362m -
we must be looking out
on a lot of people!

Maloney
Tad/Leon
Don't want to
leave this - BC

EQUITABLE TOLLING OF REFUND LIMITATIONS PERIOD

Proposal: Amend the statute of limitations on claims for refund in the Internal Revenue Code to permit "equitable tolling" in certain situations. Under the proposal, the limitations period in the case of individual taxpayers would be tolled for the period of time a taxpayer was under a disability, in effect extending the statutory time by the period of the disability. "Disability" would be defined to include judicial determinations of incompetency, commitment to mental institutions or hospitals, or other debilitating physical, mental, or psychological conditions that prevent the taxpayer from managing his or her financial affairs. A strict evidentiary standard would apply.

Discussion: This proposal would be broad enough to encompass cases like those currently before the Supreme Court and should be flexible enough to cover a variety of equitable situations. Standards for "disability" and for the requisite proof can be written into the statute and regulations. For instance, a taxpayer who had been temporarily institutionalized could easily prove the tolling period by providing the applicable court orders. An alcoholic taxpayer would have to provide doctors' certifications of disability, evidence of hospitalization, or similar material.

This proposal will require additional use of IRS or Justice Department resources, with related budgetary costs, for processing extra claims, upgrading personnel for claim processing and review, and litigating more cases, at a time when IRS funding is under pressure.

Effective date: The tolling provision will apply with respect to claims for which the statute of limitations would otherwise expire after the date of enactment. A prospective effective date minimizes revenue losses, although it does not cover many pre-existing inequitable situations.

Revenue impact: The revenue estimate is that this proposal will cost \$362 million over five years.

For Immediate Release
31, 1996

January

Today, the Solicitor General filed with the Supreme Court petitions for certiorari in two Ninth Circuit cases interpreting the tax code's rules about how long a taxpayer has to seek a refund for overpayment of taxes. The President recognizes the necessity of applying the current law to pending cases, and that is the position of the government in these two cases. In reviewing the policies at issue in these cases, however, the President has concluded that the law at times may produce harsh results. This is particularly so when taxpayers fail to seek a refund because of a well-documented disability, or similar compelling circumstance, preventing them from doing so. Accordingly, he has directed the Secretary of the Treasury promptly to make recommendations to him concerning whether and how the law should be changed to avoid such unfair results in the future.

-30-30-30-

visit. His
considerable effort,
always with great finesse or tact, to bring down
the huge trade imbalance with Japan, and that
has begun to pay off—Japan's surplus with the
United States posted its biggest decline in 16
years in January. While that is a huge and
welcome improvement, American firms are
still finding it difficult to crack some segments
of the Japanese market. The semiconductor

en-
trained in Okinawa. Measures that take into
account Japanese complaints about U.S. service
personnel's off-base behavior are crucial to
maintaining the trust and support of Japan for
the security agreement. These are the chal-
lenges for Clinton and Hashimoto.

THE PRESIDENT HAS SEEN 2/27/96 Paid Too Much Tax? Tough Luck

The IRS offers an expensive lesson in bureaucratic obtuseness

The Internal Revenue Service, having
already cemented a reputation as the govern-
ment agency Americans love to hate, ought to
go out of its way to avoid reinforcing a negative
public image. Yet that's exactly what the IRS
appears to have done by taking on the family of
a deceased Granada Hills man over money that
the agency wasn't even owed.

By all accounts, 93-year-old Stanley McGill
was not in full control of his senses when he
mistakenly mailed a \$7,000 check to the IRS
more than a decade ago to pay a \$700 tax bill.
For anyone keeping score, the accounting
clearly shows that the government owed
McGill a sizable chunk of change.

That, however, is not how the bureaucratic
minds at the IRS viewed it. Under agency rules,
the old man lost his money when he failed to
apply for a refund within a two-year statute of
limitations. When McGill died in 1988, his

surviving daughter discovered the disparity
and, after meeting considerable resistance, took
the tax agency to court.

The government, which won a victory in dis-
trict court but has since been reversed by the
9th Circuit Court of Appeals, now is appealing to
the U.S. Supreme Court. So far the issue that
the agency seems most concerned about is
whether the IRS or other agencies will be
exposed to a flood of claims if they are forced to
extend deadlines for disabled applicants.

But is the issue bureaucratic overwork, or
fairness? Should a family have to go all the way
to the Supreme Court to win back money that is
rightfully theirs? Cases like this give the IRS a
black eye; it's no wonder that people get so
exercised about the agency.

To paraphrase the old Smith Barney broker-
age ad, the IRS seems to be inviting contempt
the old-fashioned way: They earn it.

Salt Lake Fires a Blunderbuss

Salt Lake City's Board of Education, unable
to find a legal way to ban a high school club of
gay and lesbian students from meeting on
campus, has taken the extreme step of voting to
ban all campus clubs, thus depriving hundreds
of young people of facilities to discuss mutual
interests ranging from skiing to foreign lan-
guages to religious study.

The board acted under enormous pressure
from the state senate, which held what its
president acknowledges was an illegal closed-
door meeting with top educators on Jan. 30. At
that meeting some senators equated the per-
mission given for the gay and lesbian club to
meet with a deliberate effort to undercut family
values and promote homosexuality. In fact,
school officials were simply complying with the
1985 federal Equal Access Act, a measure
intended foremost to assure that Christian
Bible clubs could use school facilities for extra-
curricular activities. Its chief sponsor was

Republican Sen. Orrin G. Hatch of Utah.

The blanket ban on school clubs represents
an absurdly malicious and destructive response
to a small if undoubtedly controversial matter.
It appears to be based on the assumption that a
school's recognition of the right of homosexual
students to meet on campus amounts to
endorsement of their activities, when in fact it is
simply compliance with the law. It seems fur-
ther to be based on the assumption—
superstition might be more accurate—that the
club would serve as a kind of recruiting office,
seducing young people into a homosexual life
they would otherwise have shunned.

Public officials are free to hold strong opinions,
on homosexual clubs or anything else, as we all
are. But when those views become the driving
force behind a wildly disproportionate and
wholly unnecessary policy, then neither the
aims of the law nor the broad public interest are
responsibly served.

Welcome Back, Angels Flight

MADison 6-1901: That old telephone number
for the Angels Flight Railway conjures up
images of preskyscraper downtown Los Ange-
les, when the funicular transported people
between Bunker Hill and the retail and com-
mercial district below. For those who

Angels Flight arch on Hill Street stands in stark
contrast against a backdrop of towering glass
high-rises. Around the bustling Grand Central
Market nearby, old buildings stand forlorn and
in need of new life. Perhaps the return of

Angels Flight will help to breathe new

Leon
Twice
wrong
way
wrong
way
Can't
believe
the entire
way
Box

March 15, 1996

MEMORANDUM

To: The President

From: Nancy Hernreich
Andrea Whitney

Re: Letter from Wes Edwards

THE PRESIDENT HAS SEEN
3/19/96

Wes Edwards writes that it would be a major political mistake to veto the **Product Liability Reform**. This bill represents a compromise and shows bipartisan efforts can result in good legislation. You have reminded the opposition that it is time to get on with the business of this country; this legislation is precisely that opportunity to show that Clinton is good for business.

~~BC~~
But by unanimous
need to reply -

1. cc. Stop Day ✓ 3-14
2. Under - Summary

TO: President Bill Clinton
C/O: Nancy Hennreich
FROM: Wes Edwards (419)629-2311, (513)335-4272

URGENT

Re: Conference Committee Work On Product Liability Reform

As your friend, primarily, I am compelled to fax this memo after hearing last week that certain voices in the White House were floating the possibility of a veto of this legislation.

I am not especially concerned with going into substance (See my letters to you of 4/13/95; 10/16/95 and letter to Mack McClarty 10/16/95). Rather, I hear any voice floating a veto to be political and the beginnings of a **major political mistake**. Consider:

- The bill which will come out of the committee is a **compromise** that bears **no resemblance to the Contract With America** agenda. Those house bills were far more extensive in scope and were rejected by the Senate.
- The Senate bill was **supported by 15 Democrats**. Attempts to pass a **Dole Amendment** that would have extended the punitive damages limitations to all tort actions were **defeated**. The **Clinton Administration Justice Department** has been thoroughly **involved in the process** of crafting this legislation.
- The House **Republican freshmen have caved** on their demands for a more extensive bill.
- **You controlled the message** during the debate over Medicare/Medicaid and welfare reform, but **now the overwhelming message is being delivered through the Republican primary debates** and to the extent that they stop bashing one another the uniform message has been **Clinton obstructs, obstructs, obstructs**.
- You have reminded the opposition that it is time to get on with the business of the country. **This legislation is precisely that opportunity**. It is a moderate compromise that shows that **bipartisan efforts** (Co-sponsorship of Jay Rockefeller) can result in **good legislation**.
- You came down on the side of a veto of the securities legislation, which was overridden. A veto of this bill, however, will not be, and its **failure will be placed squarely on your shoulders**. This legislation is the most moderate product liability reform that has ever been considered. How in the world, the Republicans will ask, can we expect this country to move forward when even the most moderate of such needed reform, **reform the President himself has stated he recognizes is needed**, is vetoed for purely political reasons? The only solution, they will argue, is a new President and more Republicans on the hill.
- Candidate Bill Clinton appeared before NAM during the 1992 campaign and was asked during a Q & A session what his thoughts were on product liability reform (I saw this live during my campaign C-Span junkie days). He responded, candidly, that he hadn't thought about it, but encouraged the audience to give him their thoughts on the matter. The Wall Street Journal was simultaneously reporting that as governor of such a non-litigious state as Arkansas, tort reform was not on your radar screen.
- Well, Mr. President, let's go into the fall of '96 with the same **Clinton is good for business** banner that brought in countless CEO's to the Clinton team in 1992. The Republicans are going to in part attempt to turn **It's The Economy, Stupid** into their

song. Yes, there were 800,000 jobs last month, but they were part time jobs, growth is slow, etc. We want **good, high wage jobs, which is precisely what product liability reform is designed to produce.** This legislation, especially its small business provisions and its effect on smaller businesses generally in minimizing catastrophic and inequitable exposure, will make the assessment of product risk much more reliable and free both human and capital resources for the development of new products and new jobs.

- Any shouts of restricting the rights of claimants is **absolute hysteria and balderdash!!!** Except for a statute of repose that may limit claims regarding products more than fifteen years post sale, **there is not a single provision in the product liability bill that restricts a right of action to seek legal redress for personal injury caused by a defective product. NOT A SINGLE PROVISION.** Just ask one of the bill's detractors to point one out. Not there.
- Finally, I sure would like to hit the campaign trail this fall, both here in Ohio along with Senator Glenn, another supporter of the bill, and elsewhere with Purvis as a Traveler, and tell the country just how great my friend Bill Clinton has been for the economy, the creation of new jobs and sensible legal reform to keep us in the right direction. Or, in other words, when the detractors yell out that Clinton obstructs, I can tell them how I personally know that their **President and his Justice Department got engaged and worked with Congress to get a bi-partisan bill passed that was, on balance, a good solution for needed reform.**

Well, that's about it. I heard last week that the bill may come out of conference and be on the floor by the end of this week. Here's the opportunity. You won the last round. You can win this one, too. I don't think the choice is even close, either politically or substantively.

Your friend,



7c UP
We will
Reunion
Bx

THE PRESIDENT HAS SEEN
311919 L

DAVID R. MATTHEWS
Attorney at Law
119 South Second
Rogers, Arkansas 72756

ac VP

CC: HRC ✓ 3-12

~~Matthews~~
Lefty
got to
Simpkins

Dear Mr. President,

I know your Press office
will get a copy of this, but
I thought you and Helen
would enjoy knowing what
our friend Irby Simpkins
was up to - in circulating
among L R of Arkansas
papers hoping for a reprint.
Hope you're both well!

Best,
David



Nashville Banner

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EDITORIALS

Clinton, Democrat

President has grown, learned from his mistakes

Four years ago this newspaper gave its editorial support to Arkansas Gov. Bill Clinton in the presidential campaign. Clinton's vision for the future, his leadership capabilities, and his political acumen made him the cream of the Democratic field and then an easy choice over incumbent President George Bush.

Clinton has grown measurably in the years since then. He has provided forceful leadership in important areas of domestic policy. He has learned from his mistakes and been tempered by his failures. The occupant of the White House is a much more competent, confident man than the one who took the oath of office in January 1993.

The *Nashville Banner* today endorses Clinton in the Democratic Party state primary election on March 12. He is clearly the party's strongest candidate against whoever runs on the GOP ticket. Tennessee Democrats can give their party leader a firm boost with an enthusiastic turnout at the polls.

The president's re-election campaign has been dwarfed so far this political cycle by the Republican contest, with its once large, but now shrinking, array of candidates. The fact that Clinton is unopposed for the nomination within his party is a testimonial to the support he enjoys among other Democrats, and to the high regard for his political skills. The last Democratic president to win renomination without opposition from within his party may have been Franklin D. Roosevelt.

Even before he took office, Clinton had a solid background of experience that demonstrated his skills at bringing people together. He was governor of Arkansas for 12 years and has served as chairman of the National Governors' Association. He has been a member and for 17 months chairman of the centrist Democratic Leadership Council, a moderating influence in party politics.

Clinton was elected on a pledge to devote most of his attention to domestic policy, and he has posted some significant successes there. Serious efforts are being made, for the first time in memory, to reduce the size of budget deficits. He won ratification of the North American Free Trade Agreement, a three-way deal that promises to open up large new markets for American

OUR VIEW

The debate will be about the nation's direction as it enters the 21st century.

take time off in case of birth or family illness, thanks to the Family and Medical Leave Act.

Foreign policy was not supposed to be Clinton's strong suit, but he has had some notable successes. He has brought Israeli and Arab leaders together at the White House to sign historic peace agreements. Haiti is closer than it's ever been to true democracy, thanks to the role the U.S. has played.

Clinton's failures — and there have been some big ones, like health care reform and a massive program of public works spending — have been products of a sincere man trying to address citizens' legitimate concerns and fears.

And the president has learned from these failures. He has demonstrated a remarkable ability to adapt and a sense of conciliation in dealing with Congress. In fact, he has embraced several issues that Republicans had sought to make their own, such as reforming welfare, promoting family values, balancing the budget and shrinking the federal bureaucracy. His flexibility is further reflected in his administration's willingness to cut through bureaucratic rules and allow states to experiment with welfare changes, or Tennessee's own TennCare program. By no means an ideological fanatic, Clinton counts as one of his biggest strengths the gift of seeking consensus among diverse interests.

From the first, Clinton has surrounded himself for the most part with capable and competent people. His very first personnel decision — selecting Tennessee's Sen. Al Gore as his vice presidential running mate, demonstrated his solid judgment of people. Gore has emerged as a major asset in this administration, playing a leading role in such fields as science and technology, the environment, and governmental efficiency.

Whoever is elected president this November will guide the United States

DICK WRIGHT'S VIEW



MY PARENTS REALLY G
STRICT... YC
THE BEER B
THROWING
WEEKEND?..

LETTERS

My faith does

Denise Dutton Benshoof
TULLAHOMA 37388

I am disappointed that our state Legislature recently passed a resolution encouraging the posting of the Ten Commandments in private buildings. State sponsorship of my Christian beliefs cheapens them in the eyes of others.

SIMPLE OPEN

Though many would argue with me, I believe Christianity teaches respect for others, no matter who they are or what their beliefs are. I bear witness to Christ in how I live my life and in what I teach others, not by what I foist upon them. Of course, if the state Legislature plans also to encourage the posting of signs with information about all of the other religions practiced by people in Tennessee, then I am impressed by their exalted efforts and this first bold step.

Hillary Clinton has great ideas; critics should leave her alone

By Ruth Huggins
NASHVILLE 37215

I don't understand why the Republicans are dwelling on the negative qualities about Hillary Clinton. Whenever I read the paper, it always seems that one more "clue" has come up about Whitewater or Travelgate. Whenever a woman gets too powerful or gains too much control, the males always seem to try to do something to bring her down. Yes, Whitewater may have been Mrs. Clinton's

products. On his watch, the national economy recovered and remains basically sound; inflation and unemployment rates both are low.

The president has pushed for innovative, new ways to meet the everyday needs of Americans. AmeriCorps provides young people with the opportunity to serve the nation even as they earn money for college. Tax credits have been expanded for the working poor. His crime bill is putting 100,000 new police officers on the streets of American cities and towns. The Brady bill was signed into law, providing a waiting period for purchase of guns, along with a ban on certain assault-type weapons. Employees now have a right to

into the 21st century. The general election campaign will be in a very real sense a debate about the future direction of the nation. Clinton believes the federal government has a clear role to play in setting that direction. He would be a forceful advocate for the Democratic Party in the fall campaign of conflicting agendas and ideas.

BIBLE THOUGHT

Behold, God is my salvation; I will trust, and not be afraid: for the Lord Jehovah is my strength and my song; he also is become my salvation. — Isaiah 12:2.

fault, but that should have been settled years ago when it occurred, not now. Am I the only one who thinks it odd that this just happens to be coming up now, Election Year?

Hillary Clinton has many great ideas and a great deal of intelligence, and with those qualities, why is the little time that she and her husband are in the White House being wasted away by the Republicans and their silly Whitewater and Travelgate cases? For some reason, it seems that the Republicans think that the American people are voting for a first lady, not a president.

The Republicans are always complaining that Bill Clinton isn't getting the job done. If they would stop looking down

Government can't prevent job insecurity, pretendin

DAVID R. MATTHEWS
CRAIG A. CAMPBELL
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March 7, 1996

MEMORANDUM

THE PRESIDENT HAS SEEN

3/19/96

To: The President
From: Nancy Hernreich
Andrea Whitney
Re: Stanley Sheinbaum

Stanley Sheinbaum sent you this article to "think about":

According to John Maynard Keynes the economy can not run on faith alone, there must be a rational and theoretical underpinning for spending. Following Keynesian economics, Franklin Roosevelt brought economic success, but created budget deficits.

Lyndon Johnson ignored the key structures of Keynesian economics and created one of the worst inflationary cycles the US has ever had to endure. Consequently, balanced budgets became the rationale for the conservative opposition.

Throughout history the ideologies ruling economics have wavered. Now you are expected to follow an ideology which will restore the economy and balance the budget, yet all the while no one has explained how a balanced budget strengthens the economy.

To Wanda
Fyl - PLS do right
for me -
Be



Stanley K. Sheinbaum

FAX TRANSMITTAL

DATE: 6 MARCH

TO: NANCY HERNREICH

FIRM: THE WHITE HOUSE

FROM: STANLEY SHEINBAUM

COMMENTS: FOR THE PRESIDENT.

Nancy Hernreich

R -

Con Adm

Summary -

OF PAGES (including cover sheet) 5

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JUST THINK

SHEINBAUM RA 138
RA 138

Franklin Roosevelt was not noted as being a man of faith. Nevertheless as were Coolidge, and Hoover, he too adopted the theology of balanced budgets, and he too campaigned for the presidency at the height of the worst depression in our history on balancing the federal budget. Yet when actually faced with the responsibilities of that office in those worst of times ~~He~~ quickly learned that theology or no the economy needed a primer. Roosevelt particular ~~fortunate~~ because along came John Maynard Keynes with a rational and theoretical underpinning for increased spending. Then for almost four decades with the additional cost of the greatest war in our history what had been faith was put aside - at least temporarily. In short time, however, opposition politicians restored that rap on deficit spending to it's theological heights, and once again the irrationalities of electoral politics became dominate. Not to balance the budget was sinful and evil. Despite those decades of economic success the liberal Democrats were put on the defense, and they too rejoined the chant and beat the drums once again to eliminate budget deficits regardless of the economic circumstances of the moment.

Paradoxically, it was the liberal Lyndon Johnson who ignored the key strictures of Keynes and Abba Lerner so that Jack Kennedy's clear-cut Keynesian policies during the early Sixties ^{which} achieved a full employment economy with growth and no inflation - only to have the Vietnam military expenditures ^{added} on top of a stable system. By failing to increase taxes to offset those new costs, that created one of the worst inflationary cycles the US has ever had to endure. It just was not popular to raise taxes.

Abba Lerner, ~~never listened to the politicians~~, had made it clear that in times of recession Keynesian deficits were called for to restore prosperity, but in times of hyper-employment, i.e. ~~the~~ inflation, budget surpluses were required to reduce overall spending. If inflation was to be avoided. So not without reason liberal Democratic policies became the convenient target for those conservatives who in response brought back the theology of balanced budgets as being the only solution to achieve a stable economy. It was Johnson who, thereby ignored the particular economic circumstances of the moment but which had to be taken into consideration.

So this time it was the Democrats and the liberals under Johnson who had created the inflationary cycle, and thus balanced budgets became the rationale once again for the conservative opposition.

 Guilt could have been at the heart of these weak liberals better known as conservative Democrats. But more was at work than just that. Kevin Thomas has pointed out that Democrats and Republicans are joined at the hip, that is, they get their campaign moneys from the same kinds of sources and thus are required to return to Hoover-like economics. That regressive development was a product of the so called McGovern campaign financing reforms of the early Seventies. Liberal politicians feel ~~the need~~ the need to the need (and pressure) at least to sound conservative.

3

Yet paradoxically, it was the Republicans who despite their balanced budget war cries rescued the Carter economy of the late Seventies from the most recent depths of inflation and slack by engaging in the most unbalanced fiscal policies of recent times. Under Reagan and Bush the federal debt escalated from one trillion dollars at the beginning of those twelve years to five trillion - a 400% increase - and then they tried to place the blame of heavy duty spending on Clinton who was suppose to restore the economy to an even more rigorous state by balancing the budget!

The conservative Democrats - primarily the Democratic Liberal Council (DLC) found a new war cry "We are social liberals, but fiscal conservatives". That recalls the concern of South Carolina Senator Hennings who at the beginning of Reagan supply-side venture made clear that the underlying purpose of that policy was to squeeze social spending by simultaneously lower ⁱⁿ taxes and raising military expenditures. No resources would be left for social needs. He was right. It worked, and continues to haunt.

Worse, that five trillion dollar debt of Reagan and Bush meant the creation of an almost new class of actors on the economic stage. That huge increase in the federal debt is nothing more than a similarly huge increase in outstanding government securities which financed the debt. The holders of these securities simultaneously became a powerful lobby so that in the choice between growth and lower interest rates (to increase real investment) they always ~~press~~ ^{Argue} against growth for fear that the inflationary pressure of

growth oriented policies will do harm to the real value their fixed dollar securities. To the cost of everyone else these holders will protect themselves first. So this may very well be a significant shift away from theological economics in favor of good old self interest. But at least rational if undemocratic. All the while no one has yet explained how balanced budgets strengthens an economy.

Pres has
not seen.

3119196

Send to Political
Affairs for response?

Yes

Do not
know who
to contact
with
Political
T.



Democratic Party of Illinois

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217-528-3471
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489 Merchandise Mart
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General Counsel
Phillip Corboy, Sr.

Date: 3-18-96

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THANK YOU - Gary LaPaille

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Vince DeMuzio
Ellen Sinclair

General Counsel
Phillip Corboy, Sr.

March 18, 1996

The Honorable Bill Clinton
President of the United States
1600 Pennsylvania Avenue NW
Washington, D.C. 20500

Dear President Clinton,

I am writing to express my concerns over mainland China's on-going missile tests in the waters surrounding Taiwan. These test and accompanying military exercise in southern China are clearly aimed at intimidating the people of the Republic of China on Taiwan and influencing the outcome of the March 23rd presidential elections.

The 21 million people living in Taiwan have worked hard to bring political and economic prosperity and freedom to the island. Peking's interference has seriously threatened peace in the region and in the world. Therefore, I urge you to take any further action you can, in accordance with the Taiwan Relations Act, to maintain stability in the area.

I applaud the US military presence you have sent to the region to date. We must support our democratic friends in Taiwan.

Sincerely,


Gary J. LaPaille
Chairman of the Democratic Party of Illinois

THE WHITE HOUSE
WASHINGTON

THE PRESIDENT HAS SEEN

3/19/96

96 MAR 19 P2:55

March 19, 1996

RECOMMENDED TELEPHONE CALL

TO: Congressman Moakley

DATE: March 19, 1996

RECOMMENDED BY: John Hilley *JH*

PURPOSE: The Congressman's wife, Evelyn Duffy Moakley, passed away at the age of 68 on Saturday, March 16, 1996.

BACKGROUND: Mrs. Evelyn Duffy Moakley died after a long battle with cancer. Services will be held Wednesday, March 20, in South Boston.

CONTACT PERSON AND
TELEPHONE NUMBER(S): Office (617) 565-2920
Home (617) 628-7171

DATE OF SUBMISSION: March 19, 1996

ACTION: _____

March 19, 1996

THE PRESIDENT HAS SEEN

3/19/96

MEMORANDUM

To: The ~~President~~

From: Nancy Hernreich
Rebecca Cameron

Re: Product Liability Bill

Wes Edwards and Bob Hernreich both called yesterday to comment that they think it's a mistake to veto the Product Liability Bill. Wes said that he feels this veto would be a "political disaster". Wes would like someone to call him today to discuss the issue.

BC
He's a call him
Wm. Edwards - from Phil.
in '92

March 14, 1996

THE PRESIDENT HAS SEEN

3/19/96

MEMORANDUM

To: The President
From: Nancy Hernreich
Andrea Whitney
Re: Rev. Charles Stith

cc: *Stith*
Re: Stith
May 1996 (w/)

He writes that you should prepare for an upcoming race against Bob Dole and Colin Powell and these themes should be emphasized in your campaign:

1. The U.S. Government is not evil, but our democracy is a model for the world;
2. As the economy is in transition, Americans must not turn on each other;
3. Work on improving race relations;
4. Run aggressively against the Republican Party;
5. Enhance your image as a man of the people.

*Charles wants to see
you this week*

Post-It brand fax transmittal memo 7/6/1		# of pages
To	Nancy Heine	From
Co.		Co.
Dept.		Phone
Fax #	(202) 456-6703	Fax #
		(617) 424-6631

TO: The Honorable William J. Clinton,
President of the United States

FR: CRS:ndh

RE: Countdown to 96

A - Summary

As you look toward the upcoming campaign I believe the overall strategy should be framed in preparation of a race against Bob Dole and Colin Powell. There are several reasons to prepare for this scenario: (i) Dole will conclude that the only option for generating enthusiasm for the Republican ticket will be to add Powell, (ii) the leadership will also come to the same conclusion and there will be a broad based effort to convince Powell to join the ticket, and (iii) for Powell to take the second spot on the ticket is consistent with his career path. I would add, that even if this scenario does not develop preparing for such is the best way to position yourself for the reelection effort.

Given this focus the following themes ought to be emphasized in the campaign:

- *The U.S. Government is not the evil empire.* While the implication of Republican attacks on Washington that inefficient government is a waste of taxpayers money and burdensome for the citizenry; our democracy is a model for the world and can (and should) be defended. Carville makes some excellent points in this regard in *We're Right and They're Wrong*. You can also argue that the efforts taken by the Administration to reinvent government are consistent with this theme.

- *Now is not the time for a class war in America.* The American economy is in a period of transition from an industrial based economy to a technology driven economy; your emphasis on education and retraining and positioning us to compete in a global economy is the way to go. Americans must turn to each other and not on each other as we continue to build the economic foundation to give renewed vibrancy to the American Dream.

• *Improving race relations is a part of America's unfinished business.* For forty years America has been involved in an effort to become more inclusive; now is not the time to retreat but proceed with this agenda with renewed vigor. Significant outreach to the minority press on this issue should be a priority; exclusive interviews (in exchange for the cover on major publications should be pursued.) As I mentioned in a previous communication I think that the Commission on Race Relations in America is worth doing. Pat Buchanan's negativism on this issue offers an excellent opportunity to address this issue. **I would strongly suggest handling the minority set aside issue carefully.** I just received a communication from the National Association of Minority Contractors in response to the Dole/Canandy bill, abolishing set asides. If the Republicans want to move on this, let them. Your response to their effort is one of the things that would distinguish you and the Democratic Party from Dole and the Republicans.

• *Run aggressively against the Republican Party.* The Republican Primary has defined the differences between the two parties which you would have been hard pressed to do. The mantra should be: ***"Bob Dole is the head of the Republican Party; but Pat Buchanan is the heart and soul of the Party."***

• *Enhance your image as a man of the people.* Beginning immediately you should plan overnight stays in the homes of friends that live in communities more representative of the average American. It's an authentic way to demonstrate that you understand and identify with the experiences of the Average American.

I could have written more on each of these themes; but I would like to use this memo as talking points for a meeting between you and me. I will call to set up a time for us to get together.

Take Care,

Dooley
EE

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

March 17, 1996

REMARKS BY THE PRESIDENT
TO THE UNITED JEWISH APPEAL
YOUNG LEADERSHIP CONFERENCE

THE PRESIDENT HAS SEEN

Washington Hilton Hotel
Washington, D.C.

3119196

8:12 P.M. EST

THE PRESIDENT: You know, I've been trying to convince everyone else in Washington to delay the onset of this year's campaign, and you aren't helping very much. (Laughter.) But you have my permission to vary from the official line. (Laughter and applause.)

I thank you so much. I want to thank my friend, David Hermelin, for his wonderful remarks and his remarkable service. I don't know that I've ever known anybody that had such a remarkable combination of energy and commitment to the common good. He is indefatigable, and all of his energies seem to me to be directed toward good causes, including my own. (Laughter.) And I thank him for that. (Applause.)

To Ambassador Yaacobi, Mrs. Rabinovich, members of the Young Leadership Cabinet, and all of you, thank you for giving me the opportunity to come by tonight. And let me begin by saying that a lot of people speak about trying to advance the cause of humanity, but you actually do something about it. So I want to begin simply by thanking you for everything you do -- from the hot meals for the homebound, to wheelchairs for the disabled, to shelter for refugees, to comfort for victims of Alzheimer's and AIDS. And thank you, of course, for your many services to the cause of Israel.

You know, I was trying to think of something I could say tonight, just one line that would capture our country's rich diversity and the common commitment we should all feel to the cause of peace and standing up against terrorism everywhere in the world. And it seems to me the best line I could give all of you at this great Jewish event tonight is, "Happy St. Patrick's Day." (Laughter and applause.)

Let me say that -- (laughter) -- the two days and nine hours I spent going from here to Sharm el-Sheikh to Tel Aviv and Jerusalem and back to Tel Aviv again and then home were a remarkable experience for me. I am grateful that the United States is a friend of Israel and a friend of the cause of peace. I am grateful that the United States is an implacable opponent of terrorism. And I am grateful that at this moment I was able to go on behalf of all the American people to stand with the people of Israel in their time of pain and sorrow and challenge to express the outrage of our people at the latest campaign of terror, and to show our solidarity.

All of you know this, but it bears repeating, that the terrorist attacks claimed not only Israeli lives, but also those of Palestinians. And some of the most gripping tales I heard when I was there came from their family members, who also long for peace. And two young Americans, Sara Duker and Matthew Eisenfeld.

MORE

Now, it is important, quite apart from the peace process, that we once again say to the world: We know no country is safe from terror -- we have seen it in the World Trade Center and in Oklahoma City in the United States. We know our friends in Japan have suffered it in the terrible attack of sarin gas in the Tokyo subway. But we know that in the Middle East it has too often been employed as an instrument of politics. And it is wrong. We stand against it now. We redouble our efforts against it, and we will be against it forever. (Applause.)

The symbol of our solidarity on this trip was perhaps best conveyed by the stone from the South Lawn of the White House that I was privileged to place on the grave of my friend, Prime Minister Rabin, along with all of his family members. That is the place where the first accord with the Palestinians was signed. It represents our hope for progress, our belief in the chances of peace, and our unwavering solidarity.

As you know, we have resolved to strengthen our cooperation with all those who will stand against terror in the Middle East. We are committing more than \$100 million to the task. We are increasing our intelligence sharings, and we are developing new methods to combat violence there. We are convinced that, ultimately, fear will overcome the adversity of terror, because overcoming that kind of adversity is the genius of the Jewish people and the history of the state of Israel.

No nation on Earth has experienced more often the painful truth that the path of triumph often passes through tragedy. No people knows better that we must deny victory to oppressors. The Jewish people have overcome every one of their would-be destroyers, denying them their goal and, in so doing, reaffirming that what is good in human nature can prevail.

It may be that until the end of time there will always be some group that will seek to do harm to others for their own advantage. We cannot rid the world of evil. It may be that until the end of time there will always be some group that will seek to distort the meaning of a religion, to demonize those who are different from them. But it should be heartening to you to know that today more nations than ever have risen up with Israel to oppose the destroyers of the present day; to oppose those who would kill and maim and who seek to destroy the peace through violence.

That really was the message of the meeting at Sharm el-Sheikh, that Israel is no longer alone. The Summit of Peacemakers was the largest and highest-level meeting of its kind ever held. At the urging of Israel's neighbors, 29 nations, including 13 from Arab states, came to demonstrate their support for peace and their opposition to terrorism.

I believe that that summit marked the beginning of a truly unified regional effort to root out those responsible for the bloodshed. It produced concrete results. And soon there will be a follow-up conference here in Washington, within the month, at which representatives of all the nations will be present. And we will press ahead to implement the commitments that all made at Sharm el-Sheikh. (Applause.)

Just think about it. A meeting like this would have been unthinkable just a few years ago. But for the first time, Arab nations in the region are beginning to realize that pain in Israel is a danger to them as well. Large majorities of Palestinians and Jordanians and Egyptians know that the destruction of innocent life in Israel is a threat to the peaceful future they have declared as their goal for themselves and their own children.

They understood that security must not lie only at the end of the road for peace. There must be security every step of the way, or there can be no peace. No one seriously believes anymore it is fair to ask Israel to give up its security until the peace is made. That is wrong, and we will not support it. (Applause.)

When I read the story of the Palestinian nurse who was killed in the bombing, and what her son said about her loss, it convinced me that what I see in Bosnia and what I see in Northern Ireland is also true now in Israel and in the Middle East. And it is a great cause for hope, and a sobering reminder of the dimension of our challenge. And that is that the great division today in the Middle East is not between those of different religions or ethnic groups, just as it is no longer between Croatian, Serb, and Muslim in Bosnia, or between Catholic and Protestant in Northern Ireland.

It really is between those who are reaching for a better tomorrow and those who have retreated into the pointless, bloody hostility of yesterday; those who are willing to open their arms to their neighbors and those who want to remain with their fist clenched; those who are willing to raise their children based on what kind of people they are inside and what they stand for and what their character is, and those who wish to continue to raise their children based on who they are not and whom they can hate.

That is the clear decision that all peoples of the world, confronted with these kind of conflicts have to make. And even those this is a time of mourning, it is also a time of hope, for the rest of the world is coming to know what America has long understood -- Israel must be strong and secure and confident if we want peace and justice for every person in the Middle East. (Applause.)

And I assure you we will continue to support those who take risks for peace in the Middle East, in Bosnia, and around the world.

The fight against terrorism must be a national security priority for the American people. Last year when I announced the stronger steps we in the United States were prepared to take alone against Iran because of their policies, many of my colleagues around the world declined to join in. Some of them, my friends and freedom-loving people, openly said I was wrong. I didn't hear that so much in Sharm el-Sheikh. People are beginning to see the truth. You cannot, you must not, countenance people who believe it is legitimate to fund and arm others to kill innocent civilians, no matter where they are. (Applause.)

Let me remind my fellow Americans that we have challenges here at home, and that if we want to be truly effective in the transnational fight against terrorism, we must have the tools to deal with terrorism here at home. Well over a year ago, I sent to Congress a bill to improve our ability to investigate, to prosecute, to punish terrorist activity. After our own tragedy in Oklahoma City I made that legislation even stronger and challenged the Congress to pass it.

Last June the Senate passed the counterterrorism legislation. Until last week, the House of Representatives, letting more than a half-year go by, had not acted. Then last week when it did act, unbelievably, it acted to destroy the bill, to gut it, indeed, to mock it.

The House voted, for example, to delete a provision of the bill that would allow us to tag explosive materials so that if a bomb is exploded somewhere in America it will be marked and we can trace it back to its source. Now, if you have your car stolen in Washington, D.C. tonight, and somebody drives it to West Virginia --

I hope it doesn't happen -- (laughter) -- but think about it -- and you call the police and you tell them your name and the serial -- and the license plate of your car, and the car has any serial numbers on it and its found tomorrow morning in a parking lot of a grocery store in West Virginia, under the national computer network system we have, within 30 seconds it can be identified as your car. And you can be told that it's your car.

We have serial numbers on guns that are sold in America, unless they're filed off. Now, why in the world the Washington gun lobby is opposed to tagging explosives which could be used to blow apart the bodies of innocent civilians is beyond me. If people want to use the explosives for appropriate construction work, they can still do it. Their civil liberties are not going to be impaired. But as soon as the objection was raised, the House says, thank you very much, we'll take it right out.

We had a provision in that bill that would allow us to depart more quickly people who come into this country and are obviously involved in raising funds for terrorist organizations. They took that out. We had other provisions that would enable us to move more aggressively against organizations that clearly engage in terrorism. They took those out.

And they imposed a commission not to study terrorism within our borders or beyond our borders, but to study the federal law enforcement officials whose primary job it is to combat these kind of terrorist activities. That is the wrong response, and it sends a terrible signal to people throughout the world who believe that if they can just get the right kind of extremist opposition to standing up to terrorism in America it will weaken our resolve. They are wrong about that, and we should pass a good antiterrorism bill immediately. (Applause.)

I just want to say, if I might, one more word about why you're here in this leadership conference, and to say I admire this organization for many things, but not the least of it is always trying to develop a new generation of leaders.

I sought this office more than four years ago because I believe that our country had to change direction if we were going to achieve the objectives that I feel are important for America. One is to guarantee the American Dream for every person who is willing to work for it. (Applause.) Second, to maintain America's leadership in the cause of peace and freedom and security and prosperity throughout the world, we cannot withdraw, we must continue to lead. (Applause.) And third is to continue to build the American community, to forge a new unity amidst all of our diversity based on shared values and genuine honest respect for diversity.

Now, if we can do those three things, this country is going to be just fine, and the world will be a better place. (Applause.)

As I have said many times, in order to achieve those objectives, we have to grow the economy in a way that gives everybody a chance to participate, we have to squarely face our shared social challenges -- from a high crime rate to abject poverty rates among our young people, to teen pregnancy rates and other problems that make childhood more difficult. We have to work hard to overcome the impulses that so many Americans understandably feel to withdraw from the world at the end of the Cold War, and to try to chart a new course. And we have to continue to try to inspire more faith and trust in the American people in their government.

Now, in each of those areas, we're better off than we were, but we have significant challenges ahead. We should be grateful that we have 8.4 million more jobs than we did in 1992,

because a lot of our other competitors have no new jobs. (Applause.) And we should be glad that every year for the last three years we set a record in the number of new businesses. We should be glad that businesses owned by women alone have hired more people than the Fortune 500 have laid off. We should be glad about that. (Applause.)

But that should not make us insensitive to the fact that there are pockets in the inner cities and isolated rural areas of America that have felt no economic recovery. It should not make us insensitive to the fact that the educational divide in the new economy into which we're moving has become so great that about half the hourly wage earners in America in the bottom half are earning about the same wages as their counterparts were 20 years ago, once you adjust for inflation.

We should be sensitive to the fact that even though we're creating far more high-tech jobs than we're losing, if you happen to be one of those 50-year-old people who gets downsized about the time you're trying to send your kids to college, there needs to be an answer for you as well. So we're better off than we were, but we have to build on our successes and face our challenges.

If you look at the fabric of American society, we should be grateful for the fact that as compared with four years ago, the crime rate is down, the welfare rolls are down, the poverty rolls are down, and the teen pregnancy rate is dropping. But we should also say, compared to any appropriate standard for a civilized, disciplined, orderly hope for society, all these problems are still far too great. And we must keep going until we have literally wiped them from our concerns. (Applause.)

We can be grateful for the progress that's been made in political reform. The rules on lobbying, for example, are much more open and much stricter than they were when I became President. Now Congress has to apply to itself the laws it imposes on the private sector. Those are good things; we can be glad about that. (Applause.)

But we also know that there are other things that have to be done, not the least of which is a legitimate, genuine campaign finance reform bill that gives every citizen the opportunity to run for office, and all citizens the same influence in the electoral process. Until that is done we will not have finished our work. (Applause.)

And while the world is clearly a safer place not only for Americans but for virtually all other people than it was four years ago, we know that we have to keep going. We have to keep going not only in the Middle East and in Northern Ireland and in Bosnia; we have to keep going until children everywhere no longer fear that their legs will be blown off by land mines when they're walking in fields. We have to keep going until we know that we have done everything that can be humanely done to remove from people everywhere the threat of biological or chemical or small-scale nuclear weapons. We have to keep going until we have concluded all possible agreements to ban nuclear testing, so that will be the beginning of the end of any nuclear threat for the people of the world. (Applause.)

And we have to remember that nations are like children -- you can't just say that they should say no to bad things, you have to give them some good things to say yes to. And therefore, it is right and decent and in our self-interest to keep expanding the frontiers of economic opportunity, and not to forget that all those people in Latin America that still worry about whether their children will even grow to be adults deserve to be part of a new economy -- and if we do it right they'll be our best customers -- that all those people in Africa we long to see free of the kind of carnage we see in

Rwanda and Burundi deserve to have some hope for a better future if they work hard and do the right thing; that the people who live in India and Pakistan that we long to see walk away from their old, bitter conflicts have to also be able to walk toward a future of brighter hope; and that for America to do well we have to continue to be committed to creating that kind of future. It's in our people's interest to do what is right in the world. (Applause.)

And so that brings me to you. For except for those of us who are, in effect, hired by you to tend for a little while to the public interest, all other Americans necessarily have to be preoccupied with their own interests -- with the work they must do and the children they're trying to raise, and the things within their immediate reach. But we must -- we must -- reassert in this country a commitment to citizen leadership among the younger generation of Americans.

You know, when I was in Israel I spoke in Tel Aviv to a large number of young people. And afterward, the Prime Minister asked me if I would take questions. And I was fairly apprehensive, but I said, okay. (Laughter.) And a young person said, well, what advice would you give to someone my age who wanted to be involved in a position of leadership and responsibility. What would you tell me, if I wanted to go into public life what should I do?

And I said, well, in my country when young people ask me that question I tell them to do three things: One, to get the best education you can, so that you'll be able to learn for a lifetime. Because the world is growing more complex, there is more to know, there is more to understand, and more importantly, there are more connections to be made. You can't just isolate one body of knowledge or one experience from another.

The second thing you have to do is to develop a genuine interest in people. You know, I hear a lot of people in my line of work talking, and it's hard to imagine from the anger in their voices that they like people very much. (Laughter and applause.) You don't have to give up on your own heritage to try to stand in another person's shoes.

In one county in America alone there are over 150 different racial and ethnic groups. And that is a great gift for our country in a global society. It is a gift, one we should cherish and treasure and nourish. But unless we realize that curious blend of human reality that gives something common to human nature across all the racial and ethnic divides, and still demands of us to respect each other's honestly held differences, we will not meet the challenges of the future. And our inability to do that, and our tendency here in America to use elections as an excuse to divide one another, so that we choose up sides based on the belief that our opponents are aliens -- and we learn that they're aliens from 30-second ads that tell us how evil and bad they are -- that is a very dangerous tendency in a global society when we need to be pulling together, and when we can only solve our problems by pulling together.

There is no other way to solve the people problems that human societies everywhere face and that the United States has in abundance except by working together, by reaching across the divides.

And the third thing I tell young people is that they should figure out what they believe, stand up for it, and work for it, and not be deterred. (Applause.)

To be perfectly honest, the thing I like best about your cheering tonight is that you were cheering for me. (Laughter.) But the thing I like second best about it is -- (laughter) -- the thing I like second best about it was your energy, your belief, your conviction, your passion.

You know, I see all these surveys that say Americans are cynical. My friends, that's a great luxury. If you're worried about whether every bus you boarded was loaded with a bomb you wouldn't have the time to be cynical. If you lived in a tiny village in the Andes where you didn't know where your child's next meal was coming from, you wouldn't have the time to be cynical. If you lived in a country in Africa where you were trying to save your wife's life because she belonged to a different tribe than you do, and your tribe had the army and they were going through one little village after another with machetes, you wouldn't have the option of being cynical.

You live in a country with the strongest economy, the greatest potential, the widest diversity, the largest amount of opportunities on Earth. And you are not cynical, or you wouldn't be here at this conference, and you wouldn't have stood up and you wouldn't have exhibited all that energy. But a lot of the people that you work and live with back in your communities are. And they say, aw, it doesn't matter who wins, all the politicians -- you've heard all that stuff. (Laughter.) I'm telling you it's a bunch of bull. (Laughter and applause.) It's a bunch of bull, it's not true.

And let me say -- you know, before we had to stop them for the election season of the other party -- (laughter) -- they've got a -- they have to hold their elections; I'm not complaining. But before we had to stop them for the election season of the other party, the Vice President and I spent over 50 hours with the leaders of the Republicans and Democrats in Congress. And we spent the time in private. And most of what we said I don't think I should talk about in any great detail; it wasn't all that different from what you've already heard in public. But after you spend 50 hours with other people, and you talk through and you express your really -- what you think and what you feel, you develop a certain relationship to people, even if they're very different from you.

And the point I want to make to you is that the leaders of the majority in Congress and I really do view the world in different ways. But that is not a cynical statement. And it has nothing to do with campaign tactics, about which I spoke earlier. It is a plain fact. And that's why I say to young people, you have to decide what you believe and take sides and stand up. But there's nothing to be cynical about. These differences are real and deep and profound and they matter. And they're honestly held by all the party.

And I just want to say to you that this is a very great country, but if you want your country -- when those of you who are younger are my age and I'm nearly eligible to join AARP -- (laughter) -- I hate it, but it's true -- (laughter) -- if you want this country when you're 50, when you're 60, when you're 65, to be the beacon of hope for the world, to be Israel's best friend, to stand up for freedom and against terrorism -- if that's what you want -- if you want every child who grows up in this country to believe that he or she can live out their dreams if they'll work for it, then cynicism and inaction and passivity have no place in your future, or the future of your friends and neighbors back home where you live. You have to lead. And that's what I want you to do.

Thank you, and God bless you all. (Applause.)

END

8:54 P.M. EST

Call
6S

The Honorable William T.
Coleman, Jr.
Suite 500 West
555 13th Street, N.W.
Washington, D.C. 20004-1109

THE WHITE HOUSE
WASHINGTON

March 12, 1996

The Honorable William T. Coleman, Jr.
Suite 500 West
555 13th Street, N.W.
Washington, D.C. 20004-1109

Dear Bill:

Thank you for your wonderful note and for passing along Neil Rudenstine's piece on the history of diversity. It's excellent, and, as you well know, we're continuing to try and find common ground on this issue so that our diversity can unite rather than divide us. Any suggestions or advice you may have would be greatly appreciated.

Though I don't see Bill as often as I'd like, I know he's doing an outstanding job. I hope all the Colemans are well.

Sincerely,

Bill Clinton

WILLIAM T. COLEMAN, JR.

555 13TH STREET, N.W.
SUITE 500 WEST
WASHINGTON, D.C. 20004-1109

March 4, 1996

Dear Mr. President:

Legend has it that in the Twenties whenever someone in Cambridge, Mass. said, "Did you see what the President did today in Washington?" or some other place in the world, that the reference turned out to be to the President of Harvard. Strong leadership from the two Roosevelts through President Clinton now make this remark that of only a smart aleck or one who does not appreciate who governs in the United States today.

I thought, nevertheless, that you might be interested in the recent article by Neil Rudenstine on "*The Uses of Diversity*" which appears in the *Harvard Magazine* for March/April 1996. As you gallantly, courageously and correctly work your way through the difficult issues related to diversity, I know you will get some help, support, hope, courage and ratification from the enclosed article.

Take care.

Sincerely,


William T. Coleman, Jr.

Enclosure

WTC,Jr:ead

The Honorable William J. Clinton
The President
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500

WILLIAM T. COLEMAN, JR.

555 13TH STREET, N.W.

SUITE 500 WEST

WASHINGTON, D.C. 20004-1109

Hernreich

Dear Ms. Hernreich:

I would appreciate it greatly if you could call the enclosed letter and article to the President's attention.

Take care.

Sincerely,

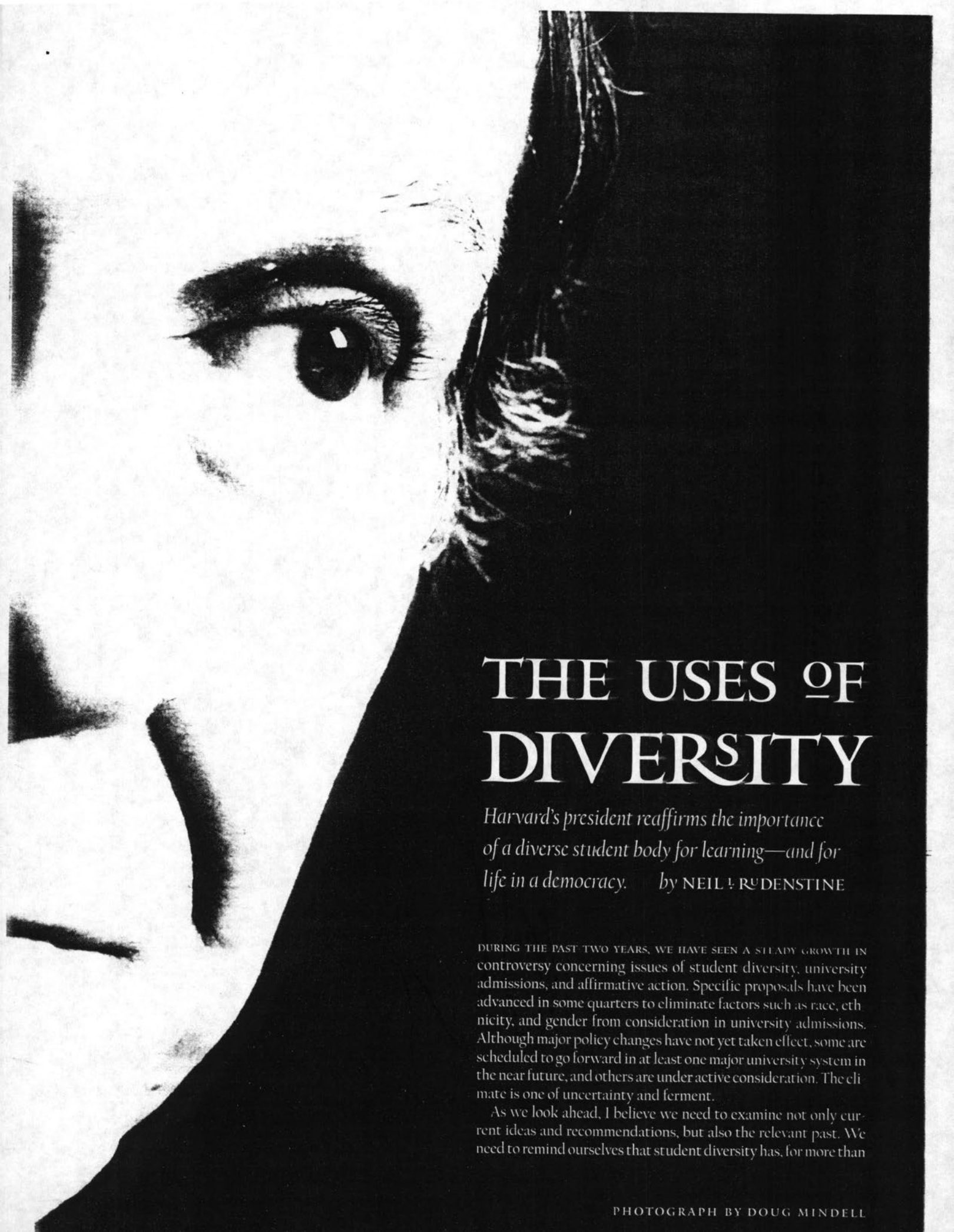
WTC

William T. Coleman, Jr.

Enclosure

WTC,Jr:ead

Ms. Nancy Hernreich
Deputy Assistant to the President/
Oval Office Operations Director
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500



THE USES OF DIVERSITY

*Harvard's president reaffirms the importance
of a diverse student body for learning—and for
life in a democracy.* by NEIL L. RUDENSTINE

DURING THE PAST TWO YEARS, WE HAVE SEEN A STEADY GROWTH IN controversy concerning issues of student diversity, university admissions, and affirmative action. Specific proposals have been advanced in some quarters to eliminate factors such as race, ethnicity, and gender from consideration in university admissions. Although major policy changes have not yet taken effect, some are scheduled to go forward in at least one major university system in the near future, and others are under active consideration. The climate is one of uncertainty and ferment.

As we look ahead, I believe we need to examine not only current ideas and recommendations, but also the relevant past. We need to remind ourselves that student diversity has, for more than

a century; been valued for its capacity to contribute powerfully to the process of learning. It has also been seen as vital to the education of citizens—and the development of leaders—in heterogeneous democratic societies such as our own.

NINETEENTH-CENTURY BEGINNINGS

THE WORD *DIVERSITY* HAS BEEN OVERUSED IN RECENT YEARS, OFTEN TO THE point of cliché. That is unfortunate, because the term has an important history, and no adequate synonym in our language. The word and the idea began to appear in discussions of education at least as early as the mid-nineteenth century. Since then the significance of diversity to the process of education has been increasingly recognized. Without reference to this historical development, we cannot fully understand our contemporary notions of diversity, nor adequately evaluate the arguments shaping the current national debate.

Many nineteenth-century educators tended to think of diversity in terms of ideas—differences in opinions and views in all the areas of life where actual proof was impossible to achieve. Many would have subscribed to the argument that John Milton had made in opposing the censorship of books: “Where there is much desire to learn, there of necessity will be much arguing, much writing, many opinions; for opinion in good men is but knowledge in the making.” The clash of different opinions was often seen to be positive: “that which purifies us is trial, and trial is by what is contrary.”

An important variation on this theme emerged during the 1840s and 1850s. John Stuart Mill stressed the value of bringing “human beings in contact with persons dissimilar to themselves, and with modes of thought and action unlike those with which they are familiar.” The word *diversity* was very much a part of his lexicon. Many passages in *On Liberty* concern the “causes which make diversity of opinion advantageous, and will continue to do so.” It was not enough, moreover, for a person to read about or “be taught” the opinions of others on a given subject:

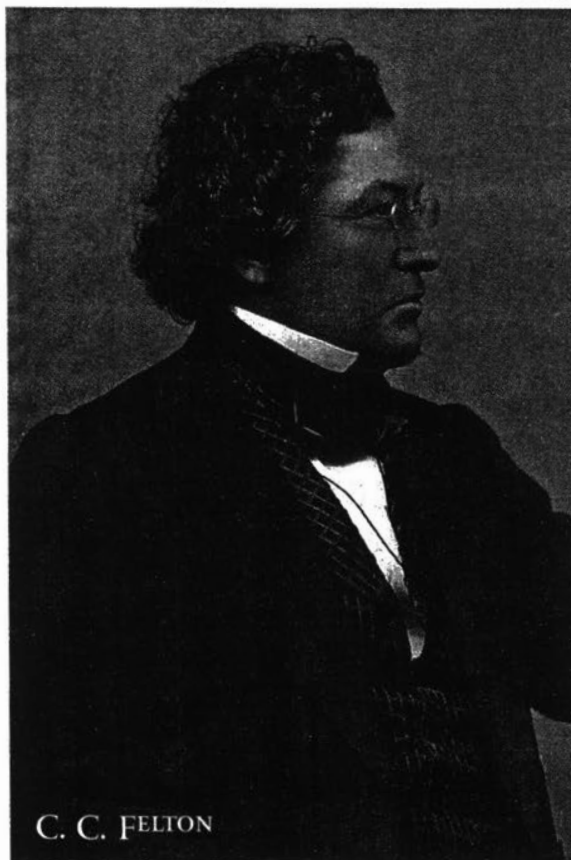
He must be able to hear them from persons who actually believe them; who defend them in earnest, and do their very utmost for them. He must...feel the whole force of the difficulty which the true view of the subject has to encounter and dispose of....

Excerpted from “Diversity and Learning,” *The President’s Report, 1993-1995*. For the complete text, including citations, contact the President’s office. The text is also available on-line at “http://www.harvard.edu/presidents_office”.

For Mill, opinions and ideas were not disembodied abstractions: they were living things that should be encountered in the presence of “persons who actually believe them.” Diversity, in other words, was most fully realized when made visible and present through actual associations among human beings in all their variety.

John Newman’s view was less combative than Mill’s, but it shared some significant features. Newman envisioned colleges where “a multitude” of students would “come together and freely mix with each other.” Under such circumstances,

they are sure to learn one from another, even if there be no one to teach them; the conversation of all is a series of lectures to each, and they gain for themselves new ideas and views, fresh matter of thought, and distinct principles for judging and acting, day by day.



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Newman’s university was to be like “the world on a small field”: students would “come from very different places, and with widely different notions.” Because of such differences, there would be “much to adjust,” new “inter-relations to be defined,” and rules and norms to be established, so that a college could in time become unified in spirit, with “one tone and one character.” Through a process of association and mutual education, unity would eventually emerge from difference.

Mill may have stressed the friction of human contact, while Newman emphasized reconciliation and wholeness. Yet both regarded direct association among dissimilar people as essential to learning. Both take us beyond any simple concept of diversity defined in purely intellectual or abstract terms. Mill emphasized not only different ideas and opinions, but also different “modes of thought and action.” Newman specifically mentioned geographical diversity: students would come from “very different

places,” bringing their “widely different notions.” For both Mill and Newman, these forms of diversity are integral to true learning. They shape some of the fundamental ways in which knowledge itself is generated, tested, and transformed into understanding.



THE NATION STOOD ON THE VERGE OF THE CIVIL WAR WHEN Harvard president C.C. Felton presented his report for the academic year 1859-60. In the midst of this national turmoil, he and others saw a need for colleges and universities to provide an education based on experience with different kinds of people, in the hope of overcoming regional, cultural, and other barriers. One way for Harvard to help achieve this hope, in Felton’s view, was to become a truly national institution, with “students from every State and Territory in the Union.” Gathering students together “from different and distant States must tend powerfully to remove prej-

udices, by bringing them into friendly relations," he reasoned. "Such influences are especially needed in the present disastrous condition of public affairs."

Geography—or place of residence—thus became, from an early date, a critical component in Harvard's concept of diversity. And this factor had, of course, no inherent relation to individual merit or achievement. The rationale was very straightforward: students from many parts of the country were likely to have a variety of basic assumptions, experiences, perspectives, and even prejudices. Felton concluded that if he could bring together young people from different backgrounds who would be educated in association with one another, and who would become leaders in different parts of the nation, then that process could make a difference to the creation of unity throughout the country.

To some extent, the process was already under way. Henry Adams, class of 1858, graduated not long before Felton's report was submitted. Most of Adams's classmates (about 100 in all) were from New England, but "chance insisted on enlarging [his] education by tossing a trio of Virginians" into the mix. One of the trio was "Roony" Lee, son of Robert E. Lee. Adams and the Virginians

knew well how thin an edge of friendship separated them in 1856 from mortal enmity.... For the first time Adams's education brought him in contact with new types and taught him their values. He saw the New England type measure itself with another, and he was part of the process.

As events turned out, Lee and Adams were constrained by differences in heritage, history, temperament, and culture too vast to overcome. The point, however, is not whether this particular experiment in education was or was not a full success. The point is that Adams—and, from a different perspective, Felton—recognized the importance of the attempt, and saw that this "lesson in education was vital to these young men." It produced an awareness of what might, under different circumstances, have proved possible. It also altered Adams's consciousness, and forced him to confront and assess a type of person he had never before known. Chance had "enlarged" his education, almost in spite of himself.

DIVERSITY BECAME A MORE EXPLICIT GOAL DURING THE LAST decades of the nineteenth century and the early decades of the twentieth. In the political and educational dialogue of the day, diversity was defined more precisely (as well as expansively); it was sometimes championed; and it was in some places realized more fully than before. It also became a subject of increasing controversy.

Many events contributed to this development. Struggles between differing religions, and between religion and science (particularly the ideas of Darwin), intensified. The movement for women's rights created greater tensions, even as it gathered strength. The social position of black Americans was anything but resolved. Perhaps most significant, successive waves of "new immigrants" had been arriving since the mid-1800s, and this process accelerated in

the 1870s and 1880s. Those who came in the last decades of the century were generally poorer, less well-educated, and more culturally heterogeneous than most previous groups. They came, moreover, in very great numbers.

As we know, this continuous influx of different peoples gave rise to considerable anxieties among the settled population. To some, established institutions and traditions appeared to be under siege, particularly since the newest immigrants were themselves so varied in terms of language and culture. To be sure, some people welcomed the great influx as another infusion of strength into American society. But historians have documented the equally strong movements to curtail immigration, and to limit the opportunities available in education and employment.

This was also a moment when purportedly scientific studies set out to define the "races" of mankind, and to assess their relative superiority. There were also the well-known attempts to demonstrate that the origins of democratic or republican laws and institutions lay in the assemblies of ancient Teutonic or Anglo-Saxon tribes. In a quite different sphere, parochial school systems began to develop more rapidly at this time, as did the movement by Episcopalians and other Protestants to found church-related boarding schools. As a result, secondary and even elementary schools functioned somewhat less effectively as potential "melting pots."

New England, Boston, and Harvard constituted one of the main arenas in which conflicting attitudes and forces encountered one another. Meanwhile, Harvard's president, Charles William Eliot, played an important role in defining an expanded conception of diversity in relation to learning.

ELIOT'S PRESIDENCY AT HARVARD SPANNED FORTY YEARS, FROM 1869 to 1909. More than any other leading educator of his time, he stressed the value of cultivating the diverse talents of every individual, while also emphasizing how diversity among individuals and groups can be a major stimulus to learning. He regarded diversity as so powerful and far-reaching in its effects—capable of shaping lifelong attitudes and habits—that he came to view it as indispensable to the healthy functioning of a democratic society.

Scarcely anyone during his time expressed more confidence than Eliot in the potential of all human talent to flourish, given the freedom and opportunity to do so. It was in society's interest "to make the most of every useful gift or faculty which any member may fortunately possess." A democracy "does not seek equality through the discouragement or obliteration of individual diversities.... [It] actively promotes an immense diversity among its members...."

A chief task for colleges and universities, therefore, was to create an atmosphere stimulating in the variety and quality of its offerings. Eliot's commitment to the "elective system" was predicated on the conviction that a diversity of interests and talents among students required a corresponding variety of fields of



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inquiry and opportunities to foster individual development. Moreover, the university

must have a large body of students, else... the students themselves will not feel that very wholesome influence which comes from observation of and contact with larger numbers... from different nations, States, schools, families, sects, parties, and conditions of life.

For Eliot, direct contact among a heterogeneous group of students was vital to the process of education. He expanded the definition of diversity to include students from "different nations, States, schools, families, sects, parties, and conditions of life." In a number of articles and reports, he discussed his views in greater detail. Harvard's students should be children of the "rich and poor," the "educated and uneducated." There was also a need for "diversity in religion." The goal was to foster not only greater knowledge, but actual "respect for each other's religious inheritances." This could be achieved only if students and faculty from different sects or denominations could associate freely and learn about one another.

In addition, Eliot's Harvard now intended to attract—even more aggressively—students "from North and South, from East and West." There would be "Democrats and Republicans, free-traders and protectionists, spoilsmen and reformers, Prohibitionists and high-license advocates." The goal was to create a more open and even disputatious university community where the zeal and zest of argument and debate would be audible and tangible. In addition, the gains in terms of tolerance, mutual understanding, and camaraderie would be profound and long-lasting. The "collision of views" at a university is "wholesome and profitable," Eliot wrote. "It promotes thought on great themes, converts passion into resolution, cultivates forbearance and mutual respect, and teaches... candor, moral courage, and independence of thought...."

Discussion and debate are not purely intellectual processes. They involve emotion and conviction as well as reason and argument. They convert "passion into resolution," and teach candor and moral courage. Education and learning are in this sense human and moral processes concerned ultimately with values and effective action. They are most fully tested when individuals engage others whose ideas, passions, experiences, and beliefs differ from their own.

Eliot's conception was fashioned explicitly to serve the purposes and needs of a democratic society that was intrinsically diverse, and committed to freedom and equality of opportunity. Moreover, the fruits of diversity would extend well beyond the university through the continuing association of individuals during their lifetimes. "A university of national resort exerts a unifying influence" far and wide, argued Eliot:

Every year hundreds... go out from each of the great American universities and scatter through the whole country. In their several places of residence they ordinarily rise to places of trust and influence; and they remain united for life, however separated by distance; united by common associations, and by bonds of friendship and mutual respect....

Once again, Eliot powerfully forges the links between diversity, student learning, and the role of higher education in a heterogeneous democratic society.

DIVERSITY AND RACE: SOME TURN-OF-THE-CENTURY DILEMMAS

IN THE LATE NINETEENTH CENTURY, THE CONCEPTS OF RACE, RELIGION, and nationality were different from our own in several respects—and the idea of ethnicity, in its contemporary meaning, was scarcely developed at all. There was also considerable overlap among these categories. Although race was often defined in terms of skin color, it was even more widely viewed as a set of characteristics that could include a group's native language, geographical home, religion, national identity, temperament, certain physiognomic features, political and cultural traditions, and traditional occupations.

In short, ideas of race, religion, and nationality interpenetrated one another. Composite types and stereotypes were not only common but also carried potential explosive power in the charged atmosphere of the time. Even the most superficial glance at the titles of many turn-of-the-century books and articles suggests why the situation was potentially volatile: *Are We Celts or Teutons?*; *The Growth of the French-Canadian Race in America*; *The Jewish Question*; *The Irish in American Life*; *The Races of the Danube*; *The Coming of the Italian*; *The Racial Problem in Immigration*; *The Causes of Race Superiority*; *The Races of Europe*; and *Immigration and Degradation*, to name just a few.



SERIOUS TENSIONS—SPARKED BY IMMIGRANT, RELIGIOUS, AND NATIONAL groupings—emerged in Boston (and elsewhere) as early as the 1830s and 1840s, and escalated over the next several decades. The Boston Irish (and other groups) took steps to preserve their own religious tradition, as well as to create their own self-help and cultural organizations. These very actions, however,

provoked complaints that "instead of assimilating at once with the customs of the country of their adoption, our foreign population are too much in the habit of retaining their own national usages, of associating too exclusively with each other, and living in groups together...." The inability of the native-born to understand the ideas of their new neighbors perpetuated this gap between them, rousing the vivid fear that the Irish were "a race that will never be infused into our own, but on the contrary will always remain distinct and hostile."¹

The reference in this passage to the Irish "race" was by no means casual. The more that Teutons, Anglo-Saxons, and the "Gothic" Germanic peoples continued to press their conception of racial superiority, the more the Irish and others felt the need to respond with racial pronouncements of their own—as well as with more assertive attempts (particularly by the Catholic Church) to maintain traditional values in the face of considerable suspicion and even hostility. Given this dynamic of claim and counterclaim, group definitions tended to become stronger, and potential conflict more likely. Once the process had been set in motion, conciliation was increasingly difficult to achieve.

Through at least the 1870s, the Irish and Brahmins in Boston lived uneasily together—essentially at arm's length. The relative lack of immediate major threats or disruptions encouraged some leaders to declare that the major problems facing immigrants were well on the way to being resolved, and that activities on behalf of identifiable groups were therefore no longer necessary. This position

was espoused, for example, by both Henry Cabot Lodge and Patrick Collins (an Irish politician and lawyer who had attended Harvard Law School in the early 1870s). Despite the grim conditions under which the Irish and other groups continued to live,

there was a resolute effort to pretend that the genuine divisions in the city's life did not exist. Thus, in 1876, Collins... declared, "I... denounce any man or body of men who seek to perpetuate divisions of races or religions in our midst.... I know neither race, color nor creed. Let me say now that there are no Irish voters among us. There are Irish-born citizens like myself.... [but] Americans we are and Americans we will remain."²

To Collins, the nation was to consist in the future of individuals who were all "Americans": hyphenated groups, such as Irish-Americans, were viewed as potential obstacles to further progress, representing interests and values that no longer required special recognition or attention. Some of the parallels between the 1870s and our own time are too obvious to ignore, whatever lessons we may choose to draw from them.

The main issue was not whether the ideal of a united nation was an appropriate vision for America's future. The more immediate dilemma was whether the difficult realities of the time had been sufficiently resolved, so that the needs, interests, and even the identity of particular groups should fade—in effect—from national consciousness. One of our foremost social historians has suggested that the views expressed by Collins and others were at best premature: "Collins and Lodge were both inaccurate" in their assessment; more important, "they knew it, [and] they nevertheless felt the necessity of speaking as they did."³

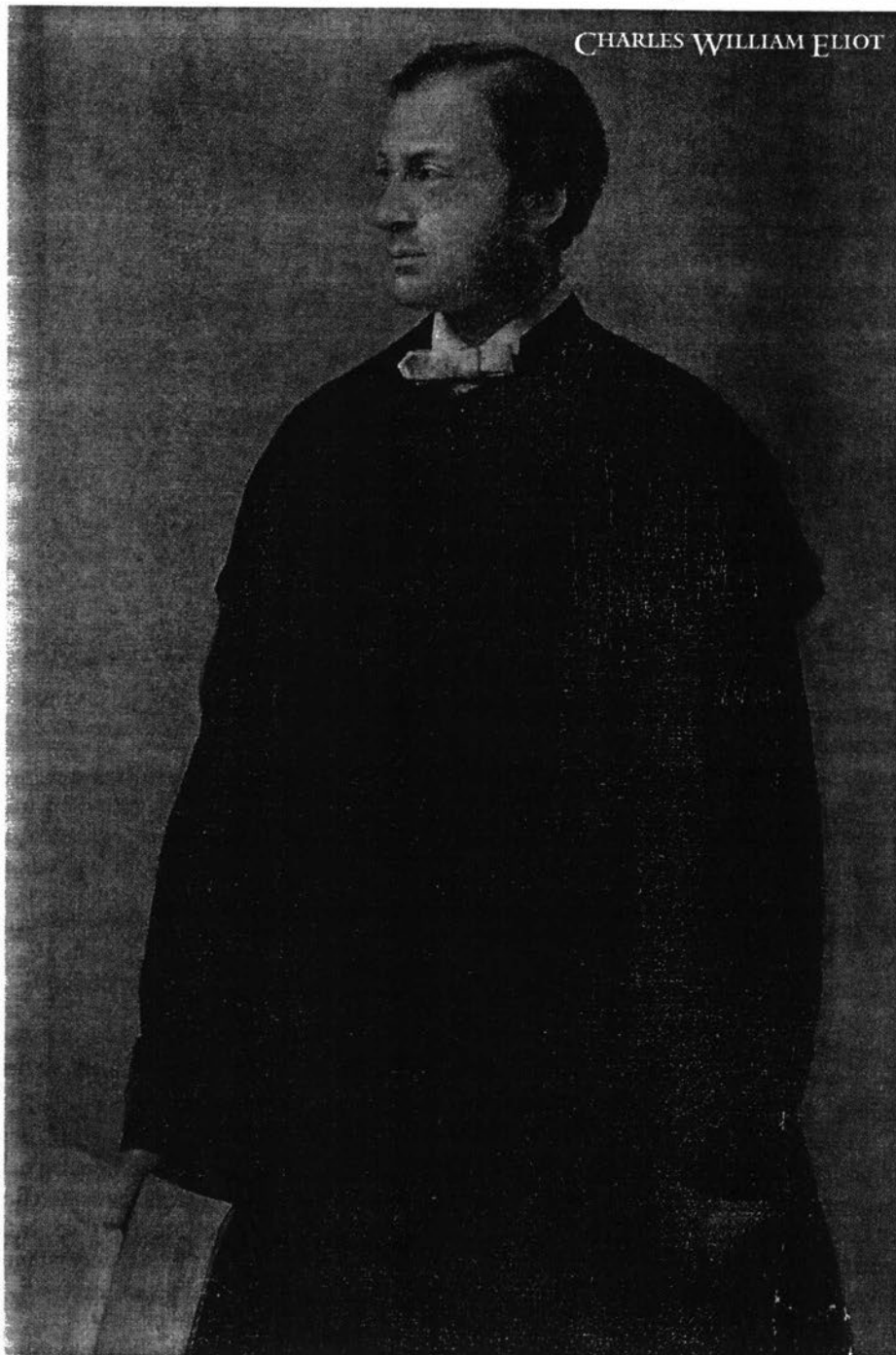
As matters turned out, few of the deep-rooted problems facing Boston (and other cities) had been adequately confronted and addressed. When the next great wave of immigrants began to reach the nation's shores in the 1870s and 1880s, the scene was set for increased tension and conflict—as well as for intensified group identification and differentiation.



CHARLES ELIOT SHARED WITH MOST of his contemporaries the assumption that there were a number of distinct races, each with its own identifiable characteristics. He also believed that the special talents, qualities, and interests of each race should be preserved, and that each group should be enabled to make its own unique contribution to the

diversity of American society. In this sense, he tended to view races rather as he viewed individuals: they should develop freely along their own lines, following their own bent, because that would lead to the full realization of their capacities. America had always "drawn to it multitudes from all parts of the habitable earth." For Eliot, therefore, the resulting "great diversity in the population of the United States as regards racial origin" was another important "illustration of the variety which may co-exist with freedom and security under democratic institutions."

Eliot believed that, over time, differences among races that lived together in a single society would be qualified and diminished. But he was no advocate of deliberate assimilation or amalgamation. We may not agree with Eliot on the topic of assimilation—or on his conception of race. He himself had complicated attitudes. For



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instance, he was not in favor of interracial marriage, and his views seem to have been shaped as much by Anglo-Saxon attitudes and anxieties as by his desire to maintain the distinctive attributes of each separate group. Nevertheless, he identified race as a positive component of diversity, and defined racial diversity as an element that enhances the vitality and strength of a democratic society.

Moreover, given that the new immigrant groups were closely identified with distinct "races," Eliot's affirmation of racial diversity was effectively an indication of his willingness to make room in higher education for at least some of the recent arrivals. In spite of controversy, Eliot introduced several changes at Harvard. And given the ferment of the time, he could not press forward altogether quietly—even if he had wished to do so. Public discussion and articles were necessary, as was the creation of a University atmosphere that was more open in spirit. Additional financial aid was needed to assist students from different backgrounds. Compulsory chapel was abolished and was replaced by a system of voluntary observance, including services offered by ministers from a number of denominations. Since religion was often linked to "race"—as in the case of Jews, Buddhists, and Catholic groups—greater religious inclusiveness also implied greater racial diversity.

The results of these efforts were measurable and even striking. In 1870, at the beginning of Eliot's presidency, a survey showed that nearly 80 percent of the 563 undergraduates who responded were Unitarians, Episcopalians, and Congregationalists. Nearly 20 percent were members of other Protestant sects. There were seven Roman Catholics and three Jews. The situation altered steadily during the Eliot years, largely as a result of actions that were conscious and even conspicuous. By 1908, when Eliot was about to retire, 9 percent of the College's student body was Roman Catholic; 7 percent was Jewish; and African-American students—absent from the student body in 1870—were at least starting to be enrolled, though still in very small numbers. Even in terms of these three categories, the aggregate number accounted for about 17 percent of the student population, as contrasted to 2 percent at the beginning of Eliot's tenure.

We should remember that Eliot also undertook some significant (if hesitant) initiatives with respect to the education of women. His views fell short of full equality, and were the subject of some intense criticism; and it is not clear how far he would have proceeded without very substantial prodding. Early in his tenure, however, he collaborated on a report recommending the admission of women to the Harvard Medical School. The recommendation ultimately failed, but it represented an important first step. By 1879,

Eliot and the Harvard faculty were working with Elizabeth Carey Agassiz to establish the "Harvard Annex," which was to become Radcliffe College. Women were to be educated separately, although taught by Harvard professors; by 1894, 22 Radcliffe women earned A.B. degrees, and three were awarded A.M.'s.

Eliot's efforts in the sphere of diversity were only part of his larger goals. Yet they were fully consistent with his basic approach to education. The results were uneven and certainly not "linear": they came about as a result of struggle and disagreement, including changes in Eliot's own ideas over four decades as Harvard's president. During his tenure, doors were opened that would be difficult to close entirely in later eras. Some of Eliot's changes "appalled" many people, but they also created a reputation for "diversity, tolerance, and pluralism" which "rested upon solid foundations."⁴ From every point of view, diversity had helped to

bring about significant advances in the nature, quality, and scope of undergraduate education at Harvard.



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WERE THE BENEFITS OF DIVERSITY apparent to students themselves? On this point, the testimony is necessarily impressionistic. As early as the 1850s, the statements of Henry Adams, mentioned earlier, suggest that direct "contact with new types" of people had "for the first time taught [Adams] their values."

Half a century later, John Reed, class of 1910, entered Harvard near the end of Eliot's presidency. He soon found himself immersed in the bewildering intricacy of Eliot's cosmopolitan college. Reed's own recollection of his Harvard experience suggests some of the ways in which life in a diverse community can lead to pain, isolation, and separateness, as well as to intellectual exhilaration, greater self-knowledge, and moments of human reconciliation:

I got to know many fellows to nod to, and a very few intimately; but most of my friends were whirled off and up into prominence, and came to see me no more. One of them said he'd room with me sophomore year—but he was tipped off that I wasn't "the right sort" and openly drew away from me. And I, too, hurt a boy who was my friend. He was a Jew, a shy, rather melancholy person. We were always together, we two outsiders. I became irritated and morbid about it—it seemed I would never be part of the rich splendor of college life with him around—so I drew away from him.... It hurt him very much, and it taught me better. Since then he has forgiven it, and done wonderful things for me, and we are friends.

Real learning, in all its dimensions, rarely takes place altogether easily, without friction or pain. Indeed, the educational benefits of diversity are often first experienced as forms of temporary dislocation and disorientation—just as they can eventually lead to increased understanding and friendship. Genuine risks and difficulties are involved, and it would be foolish to pretend otherwise.

In John Reed's case, life at Harvard grew steadily better, and he gradually came to revel in the University. It was a place where

strong individuals, as well as groups, coexisted in a milieu characteristic of Eliot's open and relatively unstructured institution:

[A] man who came for a good time could get through and graduate...; but on the other hand, anyone could find there anything he wanted from all the world's store of learning....

All sorts of strange characters, of every race and mind, poets, philosophers, cranks of every twist, were in our class. The very hugeness of it prevented any one man from knowing more than a few of his classmates, though I managed to make the acquaintance of about 500 of them.

If Reed was hyperbolic and ebullient, W.E.B. Du Bois was remarkably firm and determined. As a member of the class of 1890, he had a spectacularly successful undergraduate career. As an African-American, he too found himself outside the mainstream of college life. But that did not prevent him from making a place for himself—or from being chosen as one of the six Commencement orators. If his years at Harvard were partly defined by his isolation, he did not doubt that the sheer opportunity to observe and learn from a “majority” institution was one of the most significant experiences of his life.

By 1933, Du Bois could look back on his Harvard time with both dispassion and appreciation. He was very clear, for example, about some of the specific forms of diversity that Eliot had introduced:

Harvard...was no longer simply a place where rich and learned New England gave the accolade to the social élite. It had broken its shell and reached out to the West and to the South, to yellow students and to black. I had for the mere asking been granted a fellowship of \$300....

In addition, Du Bois remembered the University as a place where a more inclusive vision of learning—and of society—was beginning to be publicly articulated:

Men sought to make Harvard an expression of the United States, and to do this by means of leaders unshackled in thought and custom who were beating back bars of ignorance and particularism and prejudice. There were William James and Josiah Royce; Nathaniel Shaler and Charles Eliot Norton; George Santayana; Albert Bushnell Hart, and President Eliot himself. There were at least a dozen men—rebels against convention, unorthodox in religion, poor in money—who for a moment held

in their hands the culture of the United States, typified it, expressed it, and pushed it a vast step forward.

These direct encounters between a brilliant young African-American and a cadre of progressive New England academics produced living proof for Du Bois that people of different races could meet and work on common terms, could respect one another, and could strengthen one another's commitment to the important moral as well as intellectual values essential to serious education.

SOME TWENTIETH-CENTURY CHALLENGES

IN THE TWENTIETH CENTURY THERE HAVE BEEN AT LEAST TWO MAJOR developments related to the conception of diversity in education,

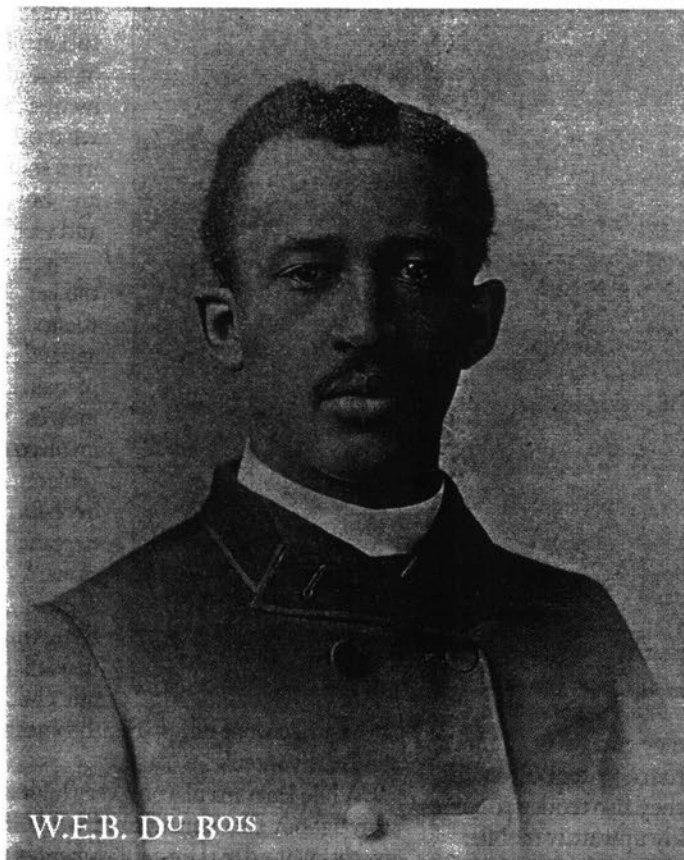
especially outside the classroom and curriculum. The first had to do with the creation of educational facilities and structures intended to help support the goals that I have been discussing. The second concerned the need to deal with a new problem: how to select students from a pool of highly qualified applicants that was much larger than the available number of places. Let me turn first to the matter of facilities and structures.

From many points of view, the basic conception of a residential education has remained the strongest expression of an institution's commitment to educating the “whole person,” rather than only the intellect. Given this commitment, a young person's character, integrity, industriousness, and other attributes were important in admissions, as well as in the life of the college and the larger community.

The residential nature of a college also allowed the benefits of a diverse student body to be more fully realized. If a college provided proper facilities and assistance—while creating an

open atmosphere of free inquiry and mutual respect—then it could more confidently bring together many kinds of students from different places. At Harvard, students began living in residential “Houses.” Participation in such units—and in associated extracurricular activities—was rightly seen as much more than a mere adjunct to education. It became part of the fabric of daily life, and one of the primary ways that students learned from one another.

President A. Lawrence Lowell was clearly very different from Eliot, and in some ways sought to limit Eliot's concept of diversity. For example, he called for quotas on the number of Jewish students admitted to Harvard. At the same time, he went further than Eliot in providing facilities that could sustain democratic ideals. In developing the residential House system during the late 1920s, Lowell specifically sought to diminish the tendency of students to form “cliques based upon a similarity of origin and upon wealth.” The goal of the Houses was “to bring into contact a body



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of students with diverse interests" who would "provoke" one another to think freshly about many subjects. "So far as subjects of concentration, pecuniary means, and residence in different parts of the country are concerned," Lowell wrote, "each House should be as nearly as possible a cross-section of the College."

President James Conant later expanded on some of Lowell's themes. As early as 1936-37, he was asking whether there is "any surer way of finding the truth" than by having it debated by students "of differing opinions." Part of Conant's program involved a reenergizing of Harvard's academic life. The conscious recruitment and enrollment of a more diverse student body was one of its important aspects. Students from an even wider range of socioeconomic, geographic, and ethnic groups (requiring more outreach, and more financial aid) would be attracted to the University only if special steps were taken—and if the University made clear that the newcomers would indeed be welcome.

The Harvard National Scholarships were created as part of this process. Meanwhile, a broad range of urban commuter students were invited to join Conant's collegium. Many of these bright, adventurous, and non-establishment undergraduates earned the ambiguous label "meatballs." One such student, the distinguished journalist and chronicler Theodore H. White, class of 1938, has left us a vivid description of life in Conant's diversified institution:

Conant was the first president to recognize that meatballs were Harvard men, too, and so he set apart a ground floor room at Dudley Hall where we could bring our lunches in brown paper bags and eat at a table, or lounge in easy chairs between classes.

Not only were the members of "this strange enclave of commuting Irish, Jewish, and Italian youngsters from Greater Boston" distinguished by their ethnic backgrounds; they also tended to come from low-income families and were frankly upwardly mobile:

Most of us...knew more about poverty than anyone from Beacon Hill or the fashionable East Side of New York. We hated poverty; and meant to have no share in it.... Harvard had the keys to the gates; what lay behind the gates I could not guess, but all that lay there was to be looted.... There were museums to be seen, libraries and poetry rooms of all kinds to tarry in—and stacks and stacks and stacks of books.

If Conant created something of a new immigrant-urban stew in the College, he also expressed the hope that the Houses (which charged extra room and board rates) would one day be affordable to all Harvard undergraduates. He urged that students should learn "not only *the facts about* life, but a worth-while way of life.... We must learn *how to live together*":

Tolerance, honesty, intellectual integrity, courage, friendliness are virtues not to be learned out of a printed volume but from the book of experience; and the content of this book for

a youth is largely determined by the mode of his association with contemporaries. So, too, are those attitudes so essential for the survival of a modern democracy....

Here, Conant—like Eliot—stresses the clear linkage between certain values fostered in a residential college, and the civic virtues essential to citizenship and leadership in a democracy.



THE YEARS AFTER WORLD WAR II PRESENTED NEW CHALLENGES. During the presidency of Nathan M. Pusey in the 1950s and 1960s, questions about admissions were rather different. With the establishment of very high standards and an ever-growing number of exceptional applicants, how should the University select students in order to create the best educational environment possible, so that undergraduates and graduate students alike could

learn as much as a residential institution might offer them? Granted that high academic capability and achievement were central considerations, what other characteristics and qualities should be taken into account—and how should they be evaluated and weighted?

The dilemma was created in part by the fact that many colleges and universities began to rely more heavily on aptitude tests (especially SATs), grade point averages (GPAs), and class-rank indices. When difficult choices are involved, one response is to search for "objective" criteria that can help in decision making, as well as in the explanation and justification of decisions. When the issue is such as to arouse strong feelings—and few things in life arouse stronger feelings in us than the hopes that we have for our children—the search for a way

to base decisions on apparently objective information can become unusually intense.

While Harvard placed a very high value on academic standards throughout this period (and while President Conant was indirectly involved in the establishment of the Educational Testing Service), the University continued to strike a balance between numerical measures and more complex forms of assessment in admissions. The annual Harvard College admissions reports of the late 1950s and the 1960s offer a helpful guide to the major issues and their resolution—a resolution that was fundamentally consistent with Harvard's past practice.

As early as 1961 an analysis of SAT scores for the past three incoming classes showed that the previous "pattern of steadily rising scores seems to have been broken":

From this and other evidence it seems clear that in choosing among candidates who are academically qualified the [admissions committee] continues to give less weight to the so-called objective factors (rank in class and test scores) and more weight to other evidence, not only of intellectual promise but of other qualities and kinds of promise as well.

Harvard had already begun studies analyzing the "objective fac-



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tors" of students at the time of admission, in relation to their academic performance in college. In 1963-64, a more explicit assessment was included in the admissions report:

The high quality and variety of talents in recent candidate groups have led us to expect the distributions of scores to shift up and down.... Test scores and other objective criteria of academic performance are most relevant to our decisions only at the extremes of our academic range....

The debate about "objective" indicators has intensified even further in the past quarter-century. This is not the place for an extended discussion, but I want to mention a few considerations that I believe are important.

▼ There is a broad consensus that standardized test scores can be valuable in providing some evidence about the likely academic performance of students, especially during their first two years (approximately) at college or university. The correlation, however, is far from exact. It is not uncommon for individuals to outperform (or underperform) what the tests "predict." In addition, the predictive power of the tests diminishes over time.

▼ Standardized tests are designed to assess certain academic capacities, but they do not measure such qualities as a student's ability to exercise good judgment in different situations, or to understand other human beings; nor do they assess qualities such as competitiveness, decisiveness, and cooperativeness—or creativity and imagination.

▼ The test scores of individuals fluctuate over time, and some of these changes are due to the quality of a student's educational opportunities and preparation. This point is crucial. We know, for example, that the SAT scores of students tend to increase with more (and better) schooling—as well as with more practice in test-taking.

Students who have had less consistent access to good education (and who lack the money to pay for extra "prepping") will frequently do less well on standardized tests. Opportunities, not just abilities, are a critical issue here. Individuals who have unusual drive, curiosity, and a strong sense of purpose can compensate for lower test scores, and they regularly demonstrate that they can succeed admirably if they are given the chance.

▼ A final point: not only do the test scores of individuals vary over time, but so do the average scores of particular groups. Over decades, for example, selected subgroups have performed better on standardized tests, depending upon their access to educational opportunities and (in the case of immigrants) on the amount of time they and their families have lived in the United States.

These general observations about standardized tests have led—at Harvard and many other institutions—to an admissions approach which takes relevant "objective" data into account, but is not driven

primarily by them. Average scores among students admitted to Harvard remain very high, but they vary from year to year. In addition, the range of individual test scores within the student body continues to be broad. Consequently, the admissions staff looks carefully at letters of recommendation from teachers and others; at the actual quality of a student's academic work (not simply the grades); at evidence of character and commitment; at each student's written personal statement; and at assessments of a student's contributions in specific extracurricular activities or employment situations. These and other factors—including those characteristics that can enable individual students to contribute something distinctive to the diversity of the student body—create the framework for admissions to Harvard College, and they provide a much sounder basis for informed decisions than reliance on any one or two indicators could conceivably supply.

Passages from the admissions committee report of 1964-65 can still stand as a reasonable summary of Harvard's basic approach:

We pay attention to test scores and [class rank] but, helpful as they are, what they tell us... is quite limited, even in the intellectual area.... Our research gives support to the common sense notion that effective intelligence depends as much on such personal characteristics as energy, imagination, and ability to channel one's energies as it does on the qualities the aptitude and achievement tests measure.



IF THERE WERE BROAD CONCEPTUAL shifts concerning diversity during the post-World War II period, they occurred in two areas. First,

diversity was seen as comprising a somewhat wider range of attributes. Second, there was a fuller appreciation of the effect that a diverse student body could have upon an institution as a whole.

The earliest postwar change in admissions—and in the nature of diversity—occurred with the GI Bill. Suddenly, colleges and universities were enriched by thousands of veterans whose different talents and kinds of experience added immensely to the quality of education. At about the same time (in 1946), Harvard provost Paul Buck called for "an extended organization for making contact with the 500 to 1,000 schools that now send us students, often only occasionally." Over the next two decades, Harvard College developed a greatly expanded national and international network of volunteers to assist the admissions staff.

As a result, it was soon possible to seek, actively and affirmatively, students in rural, urban, and suburban areas across the country. Candidates throughout the nation were recruited, as were (for example) pianists, biologists, classicists, poets, football players, and student government leaders. In addition, although the process was slow, Radcliffe and Harvard Colleges were on the way to becoming a fully coeducational enterprise. Meanwhile, minority students enrolled in greater numbers over the next

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decades, as did students from abroad and students from low-income and middle-income families.

In other words, a greater degree of openness and inclusiveness, along many dimensions, was becoming part of the rhythm and life of the University. It did not simply happen; it was the result of purposeful efforts to reach out, in order to identify and attract the most promising, capable, and diverse group of students possible.

A second shift during the 1950s and 1960s had to do with a sharpening sense of how diversity could contribute broadly to education within an entire university. Student diversity was seen as "stimulating to the Faculty" and "more relevant to liberal education." Moreover, every new class was viewed more and more as an ensemble, rather than a simple aggregation of individuals chosen without any significant reference to the pattern produced by the whole.

The admissions reports of this period return strongly to the theme that the "measure of a class" consists largely in "how much its members are likely to learn from each other—the real beginning of learning, both intellectually and emotionally." The range of undergraduate "interests, talents, backgrounds and career goals affects importantly the educational experience of our students," because "a diverse student body is an educational resource of coordinate importance with our faculty and our library, laboratory and housing arrangements." This conception of a diverse student body as an "educational resource"—comparable in importance to the faculty, library, or science laboratories—is the most direct expression of an idea that we have seen emerging over the course of more than a century.



AS THE POOL OF COLLEGE APPLICANTS GREW IN THE 1950S AND 1960s (and later), Harvard remained committed to enrolling a broad mix of students. One consequence of maintaining this approach in the postwar period, however, has been the plain fact that admissions decisions have become far more difficult to make—and to explain—in the face of huge increases in excellent applications. Disappointed applicants have asked for detailed reasons, especially if their test scores and grades were, by most standards, high. The gap between institutional decisions and candidate expectations has grown, leading in many cases to misunderstanding and anger.

These reactions are understandable, but other considerations must also be borne in mind. A university has guiding educational purposes that are ultimately the source of its admissions policies and criteria. These criteria have for many generations included considerations of diversity, primarily because of the ways in which diversity enhances the environment for learning. The beneficiaries of such an approach are the students actually chosen for admis-

sion—the students to whom an institution owes its primary responsibility, and for whom the composition of a diverse student body pays significant educational dividends. Given this fact, colleges and universities must be able to exercise their best judgment, applying a broad range of criteria and considerations, in making final admissions decisions. Only in this way can they take full advantage of the important values that diversity provides.

CIVIL RIGHTS LEGISLATION AND THE BAKKE CASE

ALTHOUGH DIVERSITY HAD BECOME A SIGNIFICANT GOAL IN MUCH OF AMERICAN higher education before World War II, substantial parts of our population still remained largely outside the doors of excellent edu-

cational institutions. This situation began to change during the postwar period. But even those institutions of higher education that were committed in principle to diversity have had uneven records of accomplishment—Harvard included.

The Civil Rights Act of 1964 (and related initiatives) represented a major effort on the part of the federal government to promote equal opportunity for all Americans, in many spheres of life. Under the Act, admissions (and other specific activities) in colleges and universities that received federal funding became subject to requirements of nondiscrimination. The legislative history of the Act reveals deep and passionate divisions in the Congress, and in the country.

As in the case of any genuine dilemma, the real issues were beyond immediate resolution, and they contained the seeds of continuing dis-

agreement. In higher education, a variety of programs related to affirmative action were designed during the late 1960s and 1970s. Some met with legal challenges. Perhaps the most conspicuous involved a case brought by Allan Bakke. In 1978, the Supreme Court in *Bakke* issued what remains its most significant statement concerning questions of race and admissions in higher education.

The Medical School of the University of California at Davis had a policy of reserving 16 of the 100 places in each class for members of certain minority groups. Candidates for these spaces were considered separately from others, and were held to a different standard of admissions. The process was largely but not exclusively quantitative in nature, with precise "benchmark" scores and "cut-off" points being used. Bakke contended that he was not admitted because, as a white student, he had been unfairly excluded from competing for one of the 16 places reserved for minorities.

The *Bakke* case was especially significant because it dealt directly with the matter of quotas or set-asides in admissions, as well as with the question of whether race or ethnicity can be used as a factor in admissions decisions. The Court decided, in a 5-4 vote, that the



HARVARD PORTRAIT COLLECTION

admissions process at the Davis Medical School was unacceptable. The clear separation of 84 "regular" admissions places from 16 "special" places for minorities, together with the use of different numerical cutoff points for the two groups, was held to be unlawful.

In his pivotal opinion in *Bakke*, Justice Powell concluded that "racial and ethnic distinctions of any sort are inherently suspect and thus call for the most exacting judicial examination." Nevertheless, Justice Powell (and four other members of the Court, writing separately) judged it permissible to take race explicitly into account as one factor in making university admissions decisions, provided that the institution can show that the practice is necessary to promote a substantial interest.

In addressing what constitutes a sufficiently substantial interest, Justice Powell was persuaded by a rationale based directly on educational grounds: the presence of minority students contributed—along with the presence of others—to diversity, and therefore to the total educational environment of an institution and to the education of all its members. Some consideration of racial and ethnic characteristics was judged to be appropriate, because "the interest of diversity is compelling in the context of a university's admissions program."

In discussing the value of diversity, Justice Powell not only mentioned the "robust exchange of ideas" among different students, but also emphasized the broader concept of student exposure to the "mores"—the customs, habits, and outlooks—of fellow students who are "as diverse as this Nation of many peoples." While the educational benefits of such exposure may appear to be most striking during a student's university years, their long-term significance for society was held to be equally valuable: "The Nation's future depends upon leaders trained" in a diverse environment.

Justice Powell's pivotal opinion in *Bakke* has its roots in a long tradition of thought concerning the nature of education. That tradition preceded, by more than a century, the advent of affirmative action programs and the passage of the Civil Rights Act of 1964. It is a tradition that is still vital, and still crucial to our nation's future.



IF IT IS PERMISSIBLE TO TAKE RACE AND ETHNICITY INTO ACCOUNT AS one factor in an admissions process, but generally not permissible to "set aside" places (or to use a set of differently defined standards) exclusively for members of a particular ethnic or racial group (or groups), how can one design and administer an appropriate process?

In addressing this question, Justice Powell drew extensively on Harvard College's policy statement on admissions. This policy, shaped by Harvard's faculty and admissions committee, carried the strong endorsement of President Derek Bok, whose constant efforts in behalf of diversity and affirmative action helped to determine Harvard's goals and extend its progress throughout the 1970s and 1980s.

Two passages from the Harvard statement are particularly pertinent. The first concerns the way in which different criteria can be weighed simultaneously in making admissions decisions; the second concerns the question of so-called "critical mass," including the issue of quotas as contrasted to approximate (and flexible) goals:

When the Committee on Admissions reviews the large middle group of applicants who are 'admissible' and deemed capable of doing good work in their courses, the race of an applicant may tip the balance in his favor just as geographic origin or a life spent on a farm may tip the balance in other candidates' cases....

In Harvard College admissions the Committee has not set target-quotas for the number of blacks, or of musicians, football players, physicists or Californians to be admitted in a given year. At the same time... a truly heterogeneous environment that reflects the rich diversity of the United States... can

not be provided without some attention to numbers. It would not make sense, for example, to have 10 or 20 students out of 1,100 whose homes are west of the Mississippi. Comparably, 10 or 20 black students could not begin to bring to their classmates and to each other the variety of points of view, backgrounds and experiences of blacks in the United States.... But that...does not mean that the Committee sets a minimum number of blacks or of people from west of the Mississippi who are to be admitted.

Citing the Harvard policy, Justice Powell insisted on the fundamental difference between a two-track process involving set-asides and a unitary process that judged all candidates by the same set of criteria,

applied in a way that considered each applicant as an individual:

In such an admissions program, race or ethnic background may be deemed a "plus" in a particular applicant's file, yet it does not insulate the individual from comparison with all other candidates for the available seats. The file of a particular black applicant may be examined for his potential contribution to diversity without the factor of race being decisive when compared, for example, with that of an applicant identified as an Italian-American if the latter is thought to exhibit qualities more likely to promote beneficial educational pluralism. Such qualities could include exceptional personal talents, unique work or service experience, leadership potential, maturity, demonstrated compassion, [or] a history of overcoming disadvantage....

This kind of program treats each applicant as an individual in the admissions process.



FINALLY, IT IS IMPORTANT TO NOTE THAT JUSTICE POWELL TOOK INTO account the contribution of diversity to education at the graduate as well as the undergraduate level. While acknowledging

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differences in the educational purposes to be served, he saw sufficient similarity to warrant similar approaches: "Even at the graduate level, our tradition and experience lend support to the view that the contribution of diversity is substantial."

If we want a society in which our professionals possess a developed sense of vocation and calling; if we want them to be able to gain some genuine understanding of the variety of human beings with whom they will work, and whom they will serve; if we want them to think imaginatively and to act effectively in relation to the needs and values of their communities, then we shall have to take diversity into account as one among many significant factors in graduate and professional school admissions and education.

President Conant was once asked how he would measure the quality of Harvard's undergraduate program. Conant was hardly averse to reliance on tests. But he replied that he would "reject all informational tests" that might be given to "recent graduates as indicative of the effectiveness of our general education. Whether a liberal education has been a success or failure should be measured by the student's breadth of vision 15 or 20 years after graduation."

Graduate and professional education plays a central role in helping to expand (or to constrain) an individual's "breadth of vision." Indeed, student diversity must be taken consciously into account at the graduate school level, because education at that level so strongly affects a student's conception of professional vocation, as well as the capacity to work with a variety of fellow professionals. The need to sustain rigorous academic standards in graduate and professional programs is clear. The more difficult challenge, in many respects, is to ensure that ethical, professional, and civic values also receive the serious attention they deserve.

POSSIBLE FUTURE DIRECTIONS

AS WE MOVE FURTHER IN THE POST-BAKKE ERA, THERE ARE VARIOUS POLICY alternatives concerning student diversity and admissions. We can continue with admissions policies that take many individual qualities and factors into careful account (including a person's ethnicity, race, or gender). These policies have served us extremely well for a very long time, and have enhanced the educational mission of our universities. Alternatively, institutions may choose on their own to take less account of race, ethnicity, and gender in admissions; or they may find themselves prohibited from doing so by legislative or other actions.

My own view is that the main question to be addressed in this context is not so much affirmative action in itself, but the broader matter of diversity as it relates to the quality, breadth, and texture of student learning. The primary purpose of diversity in university admissions, moreover, is not the achievement of abstract goals, or an attempt to compensate for patterns of past societal discrimination. It represents now, as it has since the mid-nineteenth century, positive educational values that are fundamental to the basic mission of colleges and universities. It is also extremely important to the development of civic virtues—and of future leaders—vital to the health and effective functioning of our democracy.

The most constructive and well-conceived admissions programs are those that view affirmative action in relation to the educational benefits of diversity. They may take various characteristics such as race, ethnicity, or gender into account as potential "plus"

factors (among many others) when evaluating candidates, but they do not assign such characteristics an overriding value. Nor do they use set-asides or quotas. They involve energetic efforts in outreach, but not mandated outcomes. Programs of this kind, when carefully designed and implemented, preserve an institution's capacity to make its own determinations in admissions.



THERE IS—REGRETTABLY—NO IDEAL, FRICTION-FREE WAY TO arrive at decisions regarding admissions. During the past half-century, there have been far more applicants than anyone would once have imagined possible. Even if the total number of places in our higher educational system were equal to the number of potential students, a good number of individual colleges and universities would have to turn away many qualified applicants.

When such a large proportion of applicants are barely distinguishable on statistical grounds, SAT scores and GPAs are clearly of only limited value. Admissions processes, therefore, must remain essentially human. They must depend on informed judgment rather than numerical indices. And they will be subject to all the inevitable pressures and possible misconceptions that any exceptionally competitive selection process involves.

Long-established basic principles continue to offer the best guidance:

Our commitment to excellence means that we will continue to admit students as individuals, based on their merits: on what they have achieved academically, and what they seem to promise to achieve; on their character, and their energy and curiosity and determination; on their willingness to engage in discussion and debate, as well as their willingness to entertain the idea that tolerance, understanding, and mutual respect are goals worthy of persons who have been truly educated.

In assessing individual merit, we will—as in the past—take a number of criteria into account. Grades, test scores, and class rank will be given appropriate consideration, but they will be viewed in the context of each applicant's full set of capabilities, qualities, and potential.

Our commitment to excellence also means that we will seek out—in all corners of the nation, and indeed the world—a diversity of talented and promising students.

Such diversity is not an end in itself, or a pleasant but dispensable accessory. It is the substance from which much human learning, understanding, and wisdom derive. It offers one of the most powerful ways of creating the intellectual energy and robustness that lead to greater knowledge, as well as the tolerance and mutual respect essential to our civic society.

In our world, it is not enough for us and our students to acknowledge that other people, with other modes of thought and feeling and action, exist somewhere—unseen, unheard, unvisited, and unknown. Little if anything can substitute for continued association with others who are different from ourselves, and who challenge us—even as we challenge them.

In selecting those students who will be offered places, the whole must be seen to be genuinely greater than the sum of the parts.

When an individual student is admitted, the decision is rarely if ever the result of a circumscribed choice between two—or a very few—applicants in direct competition for a single place. The proper analogy is not a race between a few individuals, where one wins and the others lose. Once a standard of high quality has been assured, there are still many more candidates than there are spaces

available. At that point, the question is how to admit not only individuals, but also an entire entering class of students who—in their collective variety—are likely to have a strong capacity to teach and to learn from one another.

Such a process of selection involves the conscious consideration of different forms of diversity. In this process—as I stated earlier—quotas or set-asides in admissions are not acceptable. By the same token, efforts to prohibit categorically the consideration of particular characteristics or criteria are no less arbitrary than to accord such factors a completely insulated form of protection or status.



WE SHOULD NOT ROMANTICIZE THE IDEA OF DIVERSITY IN order to reach a sensible and realistic assessment of its positive value. Mill, Felton, Eliot, and others were anything but sentimental in their outlook, and the complex circumstances of our own historical moment demand nothing less. Mill understood only too well that unfettered discussion and argument—stimulated by diversity—can sometimes inflame situations rather than resolve them:

The tendency of all opinions to become sectarian is not cured by the freest discussion, but is often heightened and exacerbated thereby.... But it is not on the impassioned partisan, it is on the calmer and more disinterested bystander, that this collision of opinions works its salutary effect.... There is always hope when people are forced to listen to both sides....

For Mill, diversity could be divisive. But he saw that the long-term risks of isolating individuals and groups from one another are likely to be greater than the risks of creating opportunities for direct exchange. In the end there are no guarantees. There is only the hope created when people “listen to both sides”—or indeed to many sides.

This was precisely President Felton’s conclusion, long ago, when Harvard made more conscious efforts to enroll students from different regions of the nation. It seemed clear to Felton that education should attempt to reduce the hazards of separation and division, rather than reinforcing them. The gains in mutual understanding and tolerance—even in the midst of argument and intermittent tension—would ultimately outweigh the dangers that could result from sustained isolation.

This perspective surely provides the basis for a response to those of us—and I include myself—who are seriously concerned about fragmentation, sectarianism, and incidents of tension or conflict between groups in our contemporary society. The present situation in the United States is particularly difficult in many respects. At the same time, we need to remember that this nation’s experiment in diversity has always been complex, and has involved significant strain as well as episodes of violence. Indeed, by most measures, our contemporary predicament is not more severe, and in some respects is less so, than that which existed throughout much of the nineteenth and early twentieth centuries. We should bear in mind the disruptive and often violent incidents that took place in the decades leading to the Civil War; the terrible War itself; the difficult and divisive history of the Reconstruction; and so much of the turbulence that marked the era of the “new immigrants.”

Attitudes, habits, and prejudices fade slowly, and perhaps never as completely as we might hope. Moreover, if the better part of a century was required before many “white” immigrant groups were able to enter fully into the life of the nation—groups who had

A Sesquicentennial of DIVERSITY AT HARVARD



“UP UNTIL THE LAST TWO OR THREE YEARS, WE’VE BEEN ABLE TO count on a fair level of understanding as to why diversity was important and good,” says Harvard president Neil L. Rudenstine. “That’s been more directly challenged of late.” Hence his decision to devote his most recent report to the Board of Overseers to “Diversity and Learning.” “People have been declaring themselves on the issue,” Rudenstine points out. “If you don’t say what you think about it now, you’re really not doing your educational duty.”

Speaking out is not without risks when the issue has become politicized and Harvard is pressing its case for continued federal funding of student aid and research. “The tack I took,” Rudenstine says, “addressing the issue historically and talking about diversity in education, was very deliberate. I hoped to get back to seeing why people wanted diversity in the first place.”

What Rudenstine discovered in “reclaiming diversity for educational discourse” was surprising on two counts. First, he found the idea of diversity taking form in writings by John Stuart Mill and John Newman on how education takes place—not, as it is stereotyped in debates today, over “satisfying the claims of this group or that.” Second, he “started with the assumption that this was a post-World War II phenomenon, maybe as late as the 1960s.” Instead, he traced the debate at Harvard to the years just before the Civil War.

To Rudenstine, this detective work suggests that “there is 150 years of tradition here that we ought to take seriously—that there is a theory and, more important, a practice that we’ve been living by.” He acknowledges that related, equally contentious, issues exist—diversity in the curriculum, for example, or in the composition of the faculty. But focusing on the student body enables Rudenstine to emphasize a message he sees as fundamental: Diversity promotes effective learning and promotes the conditions for democracy in a heterogeneous culture.

—J.S.R.

experienced neither slavery nor systematic legal discrimination—how much time should be estimated for a similar process to take place with respect to African-Americans, for whom official segregation in many aspects of daily life continued to exist into the 1960s? How soon should we expect forms of group identification—and some patterns of self-separation—to vanish?

The extent of our nation's success in dealing with diversity can be measured only in the full light of our entire history. Without such a long-term view, as well as an informed awareness of what can be achieved in a heterogeneous society (and at what speed), we will almost certainly undervalue all that has been accomplished so far, and we will be tempted to overdramatize the shock effect of periodic incidents: incidents that can easily be interpreted as evidence of crisis or failure, when in fact they are often no more than signs of the inescapable if unsettling stresses which exist in a large and complex democratic society.

As we try to assess the progress to date, particularly on our campuses, we ought to ask whether there are ways to evaluate more systematically the degree of success realized so far. Are there certain kinds of arrangements, norms, and stated expectations that enhance the experience of diversity and learning—and others that affect it negatively? We are now in a position to begin to draw on our cumulative knowledge. Such studies would help make clear that our institutions are still very much in the midst of a national experiment in diversity, and that we are committed to learning from it in order to ensure its success.

Meanwhile, as I look at the present situation on many of our campuses, I believe that the achieved level of tolerance and respect—among thousands and thousands of students—is extraordinary. How many of us would have predicted, in 1950 or 1960, that so great a number of talented and dissimilar students would be studying together and learning from one another after so brief a passage of time? No similar transformation has ever before taken place in the long history of higher education.

This is not a moment for national self-congratulation. But neither is it a moment to underestimate the substantial human and institutional achievements—in terms of education and diversity—of the past few decades. These achievements have their roots in ideas and actions that reach back more than a century. The record is impressive. The progress, however imperfect, is inspiring. That progress must be sustained and strengthened. To change course now would be to turn aside from many decades of difficult but steady hope and fulfillment, in order to follow pathways far less bright, and far less full of promise. ▽

¹Oscar Handlin, *Boston's Immigrants* (rev. ed. 1959) 185 (quoting the *Boston American*, Oct. 21, 1837, and Mayor Theodore Lyman of Boston).

²*Ibid.*, 226.

³*Ibid.*

⁴Stephan Thernstrom, "Poor but Hopeful Scholars," in *Glimpses of the Harvard Past* (1986), 126, 128.

POETRY

Retribution

This is the hour's coldest, the month's dog,
when pavement turns to frazil ice.
Why wait then for a miraculous birth.

A collop of the sun, rouged for hours,
freezes black. The cat won't budge
from her kind hamper.

Fall in Greenland's water, you won't come up again.

The horse of the sun comes riding. The boy scrambles
from his chamber. I am the chamber, the boy,
it is not just my life I must answer for.

This is a snowman's story.
The boy has vanished with my cow
to make his fortune.

This is my last white coffee, this is retribution.

White horse of the sun,
there is rouge on your face;
linens on your fine saddle.

I make this story as I go, a silk lie to finity:
a blue stained wedding robe, a red
ribboned cradle, black breath on a mirror.

It ends. It never ends.

~ NAOMI FEIGELSON CHASE

Naomi Feigelson Chase '54 is the author of two books of poems, *Waiting for the Messiah* in Somerville, Mass. (*Garden Street*, 1993), and *Listening for Water* (*Archival*, 1980). She has also published *A Child Is Being Beaten: Child Abuse in America* and *The Underground Revolution: Hippies, Yuppies, & Others*.

Hand carry to
John Sutton
for Harold

+ cc: Evelyn



157103

96 MAR 19 P2:37

March 19, 1996

MEMORANDUM FOR HAROLD ICKES
EVELYN LIEBERMAN
RON KLAIN
GEORGE STEPHANOPOULOS
BRUCE LINDSEY
DON BAER
TODD STERN
CHERYL MILLS
KAREN HANCOX

FROM: John Sutton

SUBJECT: Proposed draft for DSCC direct mail piece

Attached is a self-explanatory 15 March 1996 memo to Doug Sosnik and Karen Hancox from Don Foley of the DSCC, with the draft text for a direct mail piece to be sent with the President's signature.

Please return your comments to me as soon as possible.

[Per your note -
I'll forward to Potus
tomorrow, but I'd
definitely recommend
a few changes.]

See comments.
I think this goes over
the edge of what
sounds presidential in
a number of places. (In
this regard I'd also lose
most of the ~~the~~ exclamation
points. He isn't selling used
cars.)

**Democratic Senatorial Campaign Committee**

430 South Capitol Street, S.E., Washington, D.C. 20003 • (202) 224-2447

Internet: info@dsc.org

J. Robert Kettay, NE
Chairman

MEMORANDUM**Program Chairs****Next Majority Trust**

John Breau, LA

Women's Council

Barbara Mikulski, MD

Barbara Boxer, CA

Leadership Circle

Kent Conrad, ND

Labor Council

Russ Feingold, WI

DSCC Roundtable

David Pryor, AR

Carol Mosley-Braun, IL

Patty Murray, WA

TO: Doug Sosnik
Karen Hancox
FROM: Don Foley
DATE: March 15, 1996
RE: Proposed Text

The enclosed text is a first draft for the direct mail piece we are requesting to be sent over the President's signature.

Please let us know our next step.

c.c. Debra Davey
Paul Johnson

** DRAFT **

** NOT AUTHORIZED OR APPROVED BY THE DSCC OR THE SIGNER **

Dear Fellow Democrat,

A month ago I wouldn't have believed it myself.

Given the near-constant stream of election reports that crossed my desk, and the writings of the political pundits, I wouldn't have believed that we Democrats stood more than a minuscule chance of recapturing majority control of the United States Senate this year.

But all that has changed now!

According to respected Republican political analyst Kevin Phillips, editor of the American Political Report, "the lengthening list of states where Democrats can cite improving polls and prospects ... could now easily cost Republicans the Senate."

Why this startling turn of events?

Because when the Republicans swept into majority control of Congress in January, 1995 -- after a mean-spirited and carefully orchestrated campaign that intentionally distorted our Democratic record -- they boldly promised a "revolution" in government.

But today it's the American people who are ready to revolt!

The American people are fed up with Republican lawmakers who remain adamant about raising taxes for the middle class while they cut taxes for the rich and the giant corporations.

The American people are outraged by Republicans who have tried to slash Medicare and Medicaid -- programs that provide health care security for millions of our seniors -- by a staggering \$433 billion. That's right, billion!

The American people have had their fill of inflexible Republicans gutting school lunch programs for our children, wiping out benefits for veterans, and abolishing laws that safeguard the air we breathe and the water we drink.

The Republicans promised much...but they have delivered little. No health care reform, No quality welfare reform, No worker retraining initiatives, No balanced budget amendment.

So, yes, I believe the American people are fed up with Republican lawmakers who claim to have the "average American's" concerns at heart. Which is why I wholeheartedly believe we Democrats now have a real, fighting chance to take back the Senate.

I assume
Gene
has blessed
this number

- 2 -

(not grammatical)

I intend to lend this vitally important endeavor ~~with~~ every ounce of energy and clout I can muster. And I'm writing today to ask you to do the same. How?

By lending the Democratic Senatorial Campaign Committee's TAKE BACK THE SENATE '96 campaign your most generous financial support.

The DSCC is, quite simply, our Party's most vital resource for electing a Democratic Senate. Through the careful recruitment of candidates, skilled organizing and technical support, the DSCC does the quiet, yet often back-breaking work that enables Democrats to win Senate campaigns.

A test of the DSCC's skills came this past January in Oregon's special Senate race to fill the seat vacated by ~~a disgraced~~ Bob Packwood.

With the help of the DSCC, Congressman Ron Wyden overcame a wealthy Republican opponent -- who spent \$2 million blanketing the state with negative advertising -- to score an upset victory. This victory gives our Party a tremendous boost going into the heart of this 1996 Election Year.

(not presidential)

Ron Wyden's win puts the balance of power in the Senate at 53 Republicans and 47 Democrats. This means that we Democrats need a net gain of just three seats to recapture majority control!

And opportunity awaits ...

In North Carolina, Jesse Helms, who has openly opposed the Civil Rights Act and our Administration's historic peace efforts in the Middle East, must defend his seat.

In South Carolina, Strom Thurmond has decided to try for an eighth term at the age of 93.

In South Dakota, GOP loyalist Larry Pressler is already in a neck-and-neck race with respected Democratic Congressman Tim Johnson.

Plus, independent polls now show that Democratic candidates could very well win in Oregon, Colorado, Kentucky, Wyoming and New Hampshire.

It goes without saying, of course, that the Republicans know they're in trouble. They realize their continued control of the U.S. Senate is no longer a foregone conclusion. And now that Bob Dole has effectively locked up the Party's Presidential nomination, the GOP has vowed to swing its powerful campaign apparatus into high gear in a no-holds-barred effort to defend their congressional majority.

You and I dare not take this turn of events lightly

And it is willing to take
extreme ~~new~~ steps to exploit its
financial edge.

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(not presidential)

The Republican campaign machine never rests. It never seems to run short of money. And no tactics seem too low for it.

For example, GOP Senator Al D'Amato has said his Party will break federal election laws -- exceeding campaign contribution limits -- if that's what it takes to win close Senate races. The Republicans have, for example, heralded their intention to contribute a whopping \$312,000 to their Nebraska Senate nominee's campaign -- even though the spending limit is estimated to be only \$164,000.

During the first two years of my Administration, with the help and support of a Democratic Congress, we Democrats took important strides forward for all the American people.

We cut the deficit by half, more than \$600 billion. We reduced interest rates to their lowest point in 20 years. We cut spending. We provided tax relief to low- and middle-income citizens. We bolstered our economy by creating 1.6 million jobs in 1993 alone.

Why not
like 2-year
number
since
we're
talking
about just
two years?

Our Democratic partnership also turned the Brady Bill into the Brady Law. It produced more research and treatment for AIDS and more support for women's health. It passed the Family and Medical Leave Act and the "Motor Voter" law. And, it confirmed Supreme Court Justice Ruth Bader Ginsburg.

But, ^{unfortunately,} ~~frustratingly,~~ this kind of progress has eluded us since November, 1994. And now, tens of millions of Americans are suffering the consequences.

I'm talking about senior citizens whose golden years will be undermined by drastic cutbacks in Medicare and Social Security.

I'm talking about children penalized by devastating cuts to school lunch programs and basic welfare benefits. I'm talking about workers who urgently need job retraining for the 21st century.

Indeed, I'm talking about all of us who care about women's rights, civil rights, a clean environment and a robust economy.

Where is the Republicans' sense of fairness? Their concern for justice? Is it any wonder that their "revolution" has failed?

Now you see why I feel a deep sense of urgency about returning the United States Senate to a Democratic majority -- an urgency I hope I've conveyed, at least in part, to you.

Therefore, I want you to consider this letter an immediate call to action.

The DSCC urgently needs funds now for advanced voter targeting and get-out-the-vote projects that will be put into action for both

- 4 -

the primaries and general election.

The DSCC needs funds now to conduct campaign retreats with Democratic candidates -- especially those who are running for their first Senate seats or against entrenched Republican opponents -- so they are fully prepared for the arduous campaign season ahead of them.

The DSCC needs funds now to conduct expert, in-depth research on Republican candidates' voting histories so that our candidates will have the "ammunition" -- the facts -- they need to counter shameless GOP attacks.

The DSCC needs funds now to instruct our candidates in the use of the latest communications technology (e.g. satellite broadcasting), as well as advise them on the organizing of effective press operations.

The DSCC needs funds now to thoroughly train expert campaign staff for Democratic candidates, including campaign managers, research directors, communications directors, finance directors, field directors and others.

All this is to say that, when it comes to this year's elections and regaining our Democratic majority in the Senate, the DSCC wants to leave nothing to chance!

That's why I urge you to take out your checkbook right now and make the most generous contribution you possibly can to the Democratic Senatorial Campaign Committee's **TAKE BACK THE SENATE '96** campaign.

Please help the DSCC help our Democratic Senate candidates win this November.

Help the DSCC help our Democratic Senate candidates battle against what is sure to be an onslaught of Republican attacks -- extremist rhetoric, negative advertising and questionable campaign tactics.

Given the size of our task, and the deep pockets of our Republican opponents, I would greatly appreciate your gift of \$100, \$200 or even more. But please know that your contribution of \$25, \$35 or \$50 will make a tremendous difference.

There are times when the caring few must stand together as one. This is one of those times! Please stand with me. Thank you.

Warmest regards,

Bill Clinton
President

Business Day

The New York Times

THE PRESIDENT HAS SEEN^{P1}

3/18/96

WEDNESDAY, MARCH 6, 1996

Companies to Get Amnesty if They Return Worker Savings

By DAVID CAY JOHNSTON

The Government will grant amnesty to employers who have dipped into their workers' 401(k) retirement savings, provided they put the money back before the end of summer, Labor Secretary Robert B. Reich plans to announce this morning.

As many as 1,000 employers, most of them with 100 or fewer workers, are expected to apply for amnesty, Labor Department officials said. Those who comply will not be prosecuted or sued in civil court.

Many workers believe that the money that they agree to have taken out of their paychecks for their retirement savings goes directly to a mutual fund or other

investment manager. However, the law allows employers to delay passing the money on for up to 90 days.

That creates opportunities for cash-short employers to dip into the funds. If such employers do not restore the money by the 90-day period, they then have violated the law and committed theft. These companies are the primary focus of the amnesty offer.

"The purpose of our pension payback program is to get restitution just as quickly as possible," Mr. Reich said. "This is the next step in our nationwide effort to make sure that people can rely on the 401(k) system, which is a very good vehicle for people to save for their retirement. This plan is a quick and efficient way to restore the money" at a fraction of the cost of

pursuing investigations and civil litigation or prosecution.

About 22 million workers have \$855 billion in 401(k) plans at companies and at similar plans for nonprofit and government workers, according to Access Research of Windsor, Conn.

Big companies typically make their 401(k) payments promptly, and Mr. Reich emphasized that the number of plans in which thefts were suspected was small. The Labor Department has investigated 602 plans. It has closed 188 cases after recovering more than \$5 million, two-thirds of that paid by employers making deals to avoid litigation or prosecution.

But while the number of workers whose money is stolen by their bosses is small, for those workers their entire retirement

nest egg can vanish. And unlike pension plans and bank deposits, no Government insurance program protects retirement savings from theft or mismanagement.

Mr. Reich said that employers must stop making any diversions by April 6 and must restore all the funds withheld by Sept. 6. Money that the funds would have earned, had they been forwarded properly, must also be paid in full.

The employers must file sworn statements with the Labor Department by Sept. 7 detailing what happened and certifying that the funds were fully restored in order to be exempt from lawsuits by the Labor Department's Pension and Welfare Benefits Administration or prosecution by the

Continued on Page D4

BC - good issue

[Leon / Ann / Tim / BS

lagna - New to be identified

Companies to Get Amnesty on Worker Savings

Continued From First Business Page

Justice Department.

Companies that diverted all of their workers' 1995 retirement savings are not eligible, nor are principals of companies previously convicted of crimes involving employee benefit monies.

The amnesty plan follows an outpouring of complaints from citizens about possible diversions and thefts of their retirement savings. Labor Department investigators had been averaging five telephone calls a day from citizens about such problems until November, when Mr. Reich announced a crackdown on such diversions, and the number of calls rose to 105 a day.

Mr. Reich said his investigators were finding merit in citizen complaints of 401(k) diversions at twice the rate of other areas of investiga-

tion.

"There is smoke and there is enough smoke to be concerned, but there is no reason to believe that the 401(k) program is broken," he said. "But we want to make absolutely sure that people can rely on this system."

Since 1980 there have been 35 criminal prosecutions for theft of 401(k) funds, 13 of them brought in the last four months. Of the 602 formal investigations, 176 began since November, when Mr. Reich announced a crackdown on 401(k) thefts.

To reduce opportunities to divert retirement savings, the Labor Department earlier proposed a rule that funds be forwarded to the investment manager on the same schedule that taxes withheld from paychecks must be turned over to the Internal Revenue Service, usually in two to five days.

The proposed regulation has

drawn fierce opposition from businesses, more than 500 of which filed comments on the proposed rule. Many of the complaints said that companies should have more than five days to forward the funds.

One alternative, proposed by David J. Tananbaum, the president of National Retirement Programs of New York, a pension consultancy, would require employers to be bonded for the amount of retirement savings withheld from workers' paychecks, but not yet turned over to an investment manager. If the company filed for bankruptcy, any money deducted but not yet forwarded would be treated as an escrow account, protecting it from claims by the employer's creditors.

Elizabeth Warren, a Harvard Law School expert on bankruptcy, said "it makes sense to treat such retirement savings as escrowed funds that would be excluded from any bankruptcy proceeding."

NSC should
probably
see -
looks like he
might know
what he's
talking
about.

original sent
to NSC
TO NSC FOR
REPLY? ✓
YES _____
NO _____

DEAR MR. PRESIDENT CLINTON, 3/11/96

I KNOW ~~THAT~~ PRESIDENT JIANG
ZEMIN OF CHINA DEFINITELY WANTS
A SUMMIT MEETING WITH YOU

I KNOW THAT CHINA RESPONDS
WELL TO TRADING FAVORS OF
EQUAL WEIGHT — THIS IS HOW
I WAS ABLE TO BRING ABOUT
DIPLOMATIC RELATIONS BETWEEN
CHINA & ISRAEL —

I HAVE SUGGESTED TO CHINA'S
SR. LEADERS: RE. YOUR POLICY OF
"CONSTRUCTIVE ENGAGEMENT" —

① U.S. MILITARY OBSERVERS
(SCHWARTZ OF POWELL, CROWE) OF
CHINA MILITARY EXERCISES —

② U.S. "DAIJIN" CONVERGENCE
BROOKING A PEACEFUL SOLUTION
TO TAIWAN + CHINA (50 YEARS SEPARATE
DEMOCRATIC SYSTEM LIKE HONG KONG)

③ U.S. COMMERCE DEPT. BROKERO
LICENSING OF U.S. SOFTWARE & MOVIES/CD'S/
RECORDS AT REASONABLE ROYALTIES APPROPRIATE
WITHIN CHINA FOR INTERNAL DISTRIBUTION ONLY;

④ A POST-U.S. ELECTION SUMMIT
BETWEEN YOURSELF & JIANG ZEMIN;

NORMAN C. KAPLAN

PERSONAL + CONFIDENTIAL: TO U.S. PRESIDENT WILLIAM CLINTON

TITLE IX:

⑤ UNDER NATIONAL INTERESTS, THE
DROPPING OF ALL SUSPENSIONS ESP. OPIC,
TRADE & DEVELOPMENT (EXCEPT MUNITIONS
EXPORT) RE CHINA. (BUT WE SHOULD ALSO
SUSPEND FIGHTER JET SALES TO TAIWAN).

⑥ OIL IN EXCHANGE FOR
^{SENSITIVE} CHINA CONTROLLING EXPORTS TO
PAKISTAN, IRAN, & OTHER ARABIC/MOSLEM
COUNTRIES;

⑦ THE SAME FINANCING, GUARANTEES
AS ITALY, GIVEN TO U.S. COMPANIES BY U.S. GOVT. FOR
CHINA INVESTMENT & INDUSTRIALIZATION
IN EXCHANGE FOR BALANCE OF TRADE
CONCESSIONS BY CHINA;

THEY WANT GATT, MFN & INVESTMENT-
WE WANT "OUR FAIR SHARE, ARMS CONTROL,
& HUMAN RIGHTS" — LET'S TRADE FAVORS
WITH CHINA. 1.2 BILLION PEOPLE —

25% OF THE WORLD'S POPULATION —
AS MY LATE FATHER SAID, "ALL OF
AMERICA COULD BE FULLY EMPLOYED
FOR THE NEXT 100 YEARS MODERNIZING
CHINA!" SINCERELY, 