

“It is an affront to treat falsehood with complacency.” Thomas Paine

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LAW SCHOOLS V. THE LAW

By Malcolm A. Kline

They used to be closer.



photo by vanna44

If you are looking for a root cause of American lawlessness, consider America’s law schools.

The American Association of Law Schools (AALS) held its annual conference in January in San Francisco to examine the theme, “Why Law Matters.” “I asked myself, would the American Medical Association have a conference on ‘Why Medicine Matters,’” Judge Edith H. Jones of the United States Court of Appeals for the Fifth Circuit asked archly at the annual meeting of the Philadelphia Society in Dallas on March 31st. The Philadelphia Society is a group of conservative intellectuals formed in the wake of the Goldwater defeat in 1964.

Prior to the AALS meeting, the president of that society— Kellye Y. Testy, dean of the University of Washington School of Law— outlined what she saw as the “reasons law matters:”

- “Race-based violence and racial inequity in our criminal justice system
- “Growing access to justice gaps as economic inequality widens
- “Honest businesses struggling to compete in countries that do not value law and justice
- “Deepening ethnic and religious conflicts and resulting migration surges
- “Devastating gun violence expanding in number and scope”

“From students to the general public to university presidents/provosts to leaders of major foundations, law is often seen
continued on page 3”

Director's Corner

By Malcolm A. Kline, Executive Director of AIA



May, 2017

Voodoo Anyone?

How to Understand Economics Without Really Trying



by
Christopher T. Warden

Forewords by M. Stanton Evans & Malcolm A. Kline



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CAMPUS REPORT

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Please remember AIA in your will.

Dear Reader,

Once or twice a year we get to take a break from covering nutty professors and actually listen to some sane ones. Unfortunately, they are a small cadre. It is from one of these forays that the quoted information and insights contained in our cover story emerged. The Philadelphia Society, which sponsored the talks we attended, is a group of conservative intellectuals formed in the wake of the Goldwater defeat in 1964.

Speaking of defeats, many academics are still emotionally bereft after their presidential candidate lost last year. "Following the 2016 U.S. presidential election, I find myself struggling, wanting to find a narrative that will let me sleep," Ronald J. Pelias wrote in an abstract which appeared on New Year's Day in an academic journal called *Qualitative Inquiry*, "but I am unable to find any comfort in the current political landscape." Pelias is a professor of speech communication at Southern Illinois University at Carbondale.

Maybe he should work at University of Southern California and join USC Faculty Resistance, which is busily fighting presidential efforts to enforce U. S. immigration laws. Or he could hang out at the "Resistance School" at Harvard.

Readers of this newsletter may recall that we devoted two issues to reporting on Trump Derangement Syndrome (TDS) on American college campuses. Apparently, we'll be able to do at least one sequel on TDS.

All the best,

Mal Kline,
Executive Director

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too narrowly as being only a system of dispute resolution rather than in its broader role of creating the ecosystem for human flourishing,” Dean Testy stated. “One might liken it to a swamp rather than a utopia,” Judge Jones observed.

Judge Jones, a Reagan appointee, sees generality, universality, intelligibility, fair process and democratic processes as keys to good law. Conversely, impunity, in which some well-connected officials are seemingly above the law, is one the greatest dangers facing those who rely on the legal system.

She pointed to the scandals involving Veterans Administration hospitals during the Obama years as a specific example.

LAW SCHOOL PROFESSORS REJECT PROPERTY RIGHTS



photo by Pexels

People without college degrees, or even high school diplomas, appear to understand property rights. Why can't law school professors?

Evidence of the former trend can be found in the number of signs that read, “This house protected by shotgun three nights a week. You guess which three.” Fences and walls are other good indicators of this heightened awareness.

Evidence of the latter phenomenon seems almost as overwhelming. “Property is just a bundle of sticks, according to law professors,” Adam Macleod, a professor at Faulkner University's Jones School of Law said at the

Philadelphia Society meeting. “They consider it a creation of the state.”

Moreover, “The American Law and Property Society thinks property rights are an entitlement,” MacLeod avers.

When the Supreme Court does issue a ruling that reaffirms property rights, law school professors are generally aghast. They “baffle my colleagues who think the Koch brothers are sitting on the Supreme Court.”

MacLeod did note drily that law school students can be a tough sell too: “I can't wait for property class!” are words that have passed through the mouths of no law student ever.”

LAW SCHOOLS TRUMPED?

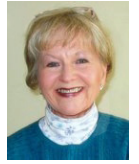
It would probably not surprise you to learn that law school professors actively opposed the nomination of the first U. S. Supreme Court justice nominated by President Trump. “There is something about judicial nominations that brings out the worst in U.S. senators,” Jonathan Adler wrote in a column distributed by the James C. Martin Center for Academic Renewal. “Judging from the academic debate over the nomination of Judge Neil Gorsuch to the Supreme Court, it seems to bring out the worst in legal academics too.”

Adler is a law school professor at Case Western Reserve. He offers a tantalizing suggestion for ascertaining whether there is an ideological litmus test for law school profs that brings us right back to where we started. “One way to shed additional light on the causes and consequences of ideological bias in legal academia would be to study the question, such as by analyzing data from the Association of American Law Schools (AALS) Faculty Appointments Register (FAR),” Adler writes. “Analysis of such data in the past has produced interesting findings on racial disparities in law school hiring. An analysis of ideological factors in hiring might likewise be illuminating.”

“Alas, the AALS will not allow such research to be conducted.”

Malcolm A. Kline is the Executive Director of Accuracy in Academia. If you would like to comment on this article, e-mail mal.kline@academia.org

SQUEAKY CHALK



By Deborah Lambert

THE FIRST DRAFT OF HISTORY



Bad publicity seems to have a way of lingering in the public mind a lot longer than one would think. Case in point: The University of Missouri, which announced “open season on student journalists in November, 2015, continues to suffer a downturn in freshman enrollment. In fact, Mizzou is apparently closing three more dorms for the next academic year (2017-18) because of low freshman enrollment, according to *The Maneater*, the school’s official independent news source.

While “most or all” staff will keep their jobs, out of the *four other dorms* that were already slated to go “offline” because of low enrollment, the *College Fix* reports that two of them are ironically named “Respect” and “Excellence.”

“Springtime may be in bloom, but snowflakes never go out of season at America’s most prestigious colleges and universities,” according to Michelle Malkin, the host of “Michelle Malkin Investigates” on CRTV.

All it took at the University of Notre Dame was the news that Vice President Mike Pence would be at this year’s commencement for quivering snowflakes to claim that they felt unsafe and threatened, by someone “who is not only openly offensive but also demeaning of their humanity and of their life and of their identity.”

In other words, “The mere presence of a public official whose policy positions veer from acceptable left-wing norms is a public safety hazard,” noted Malkin.

Meanwhile, at Wichita State University, the student

government voted to deny official recognition of the libertarian Young Americans for Liberty group because it supports — gasp! — the First Amendment, adding that although other chapters of the group across the country have invited controversial conservative speakers to their campuses, it would be “dangerous” to allow them in Kansas.

And at Duquesne University, students have now declared that welcoming a Chick-fil-A on campus would put their “safe place” at “risk” because the founders of the fast-food company defended traditional marriage.

OMG – What next?



BABIES ARE BIASED

Obviously, this had to happen. Until recently, the only category of humans still not tarnished with evil tendencies toward racism were babies.

However, a couple of Canadian studies blew their cover by revealing that “Babies as young as 6 months show a preference for their own race and bias against people who are not their race. But, say the researchers responsible, determining the start of racial bias could be crucial to its prevention.”

One study showed that babies from 6 to 9 months old appeared to link faces from their own races with happy music, while they linked faces from other races to sad music. At about 8 months, they definitely preferred to seek information from members of their own race.

This perceived racial bias seemed to make Dr. Kang Lee, a prof at OISE’s Jackman Institute of Child Study, who led the study very unhappy. “If we can pinpoint the starting point of racial bias, which we may have done here, we can start to find ways to prevent racial biases from happening.”

“An important finding is that infants will learn from people they are most exposed to,” added Dr. Naiqi Xiao, a professor at Princeton and an author on both studies. “One way to prevent racially biased adults, then, may be for parents to make sure they introduce their kids to people of all races from the time they’re very, very young.”