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What College Tuition and Fees Are Paying For!

Court Deals Blow to Mandatory Fees

The decision in *Southworth v. Grebe*, handed down recently by the U.S. Court of Appeals for the 7th Circuit, didn't make it onto national television, but it can have a profound effect on American culture and politics. The court held that it is a violation of the First Amendment rights of freedom of speech and association for a state university to use "students' mandatory activity fees to fund organizations which engage in political or ideological activities, advocacy, or speech."

For many years, it has been the common practice of universities and colleges to require all students to pay student activity fees every term. The fees are mandatory; students who refuse to pay cannot receive their grades or graduate.

The money is then turned over to student organizations that spend it pretty much as they please. Much of this money is given to liberal, leftwing, feminist, gay, socialist, or radical student groups, which in turn bring leftwing speakers to campus, lobby for leftwing legislation, and engage in leftwing demonstrations and activities.

These student fees often involve hundreds of thousands of dollars. At the University of Wisconsin, for example, the student fee of \$165.75 per semester added up to \$974,200 in the 1995-96 school year.

Enjoying tight control over this tremendous pot of money, the leftwing students (with the patronage of leftwing professors) are able to finance the radical movement and pay \$25,000 honoraria to leftwing speakers. Only rarely is a token conservative invited.

Scott Southworth, a student at the University of Wisconsin, determined to do something to remedy this abuse. First, he had to confront the roadblocks the university put in his way: secrecy and layers of laundering by committees dispensing "allocable and nonallocable" funds.

After finding a lawyer to file suit (Jordan Lorence of Fairfax, VA), a foundation to provide financial backup (Alliance Defense Fund of Scottsdale, AZ), and several other students to join as plaintiffs, they set out to gather the evidence. The evidence filed with the complaint on

April 2, 1996 was plentiful and persuasive, and the facts were not in dispute.

The court's decision cited 18 student organizations that had been funded by University of Wisconsin student fees, including WISPIRG (which lobbied Congress and distributed environmentalist voter guides); the Lesbian, Gay, Bisexual Campus Center (which distributed sexually explicit materials); the Campus Women's Center (which lobbied for abortion rights and against any regulations); the UW Greens (which distributed campaign materials for the Green Party USA and Ralph Nader's presidential candidacy, and organized a march against the Governor's budget); and the Madison AIDS Support Network.

Other student groups cited by the court included the International Socialist Society (which advocated the overthrow of the government and disrupted a church meeting); the Ten Percent Society (which lobbied for same-sex marriages); the Progressive Student Network (which lobbied against the GOP Contract with America); Amnesty International (which lobbied for abolition of the death penalty); the United States Student Association (which lobbies for a mix of leftwing causes); the Militant Student Union; and Students of National Organization for Women.

While the Supreme Court has never directly confronted the issue of student fees, the Court of Appeals was able to base its decision on several Supreme Court decisions that pointed in the right direction. *Aboud v. Detroit Board of Education* (1977) and *Keller v. State Bar of California* (1990) had ruled that unions and bar associations, respectively, may not constitutionally compel their members to fund advocacy that is nongermane to the purposes of the organization requiring payment of the fee. *Rosenberger v. Rector* (1995) had held that a university may not deny access because of ideology to the pool of money created by student fees; additionally, five justices noted that some students might object to the funding of political and ideological organizations.

In 1993, the Supreme Court denied certiorari in *Smith v. Regents of the University of California* (1993), letting stand a decision of the California Supreme Court that

students may not be "forced to support causes they strongly oppose." The California court had listed 14 "frankly political or ideological" groups to which the student government had given funds from mandatory student fees, including Campus N.O.W. (National Organization for Women), Campus Abortion Rights Action League, Gay and Lesbian League, REAP (Radical Education and Action Project), Spartacus Youth League, UC Berkeley Feminist Alliance, UC Sierra Club, and Greenpeace Berkeley.

At the oral argument on the *Southworth* case on June 4, 1997, the University of Wisconsin stoutly insisted that its educational mission requires compelling the fees of all students. When the judge asked if a black student would have to contribute to a Ku Klux Klan organization, or a Jewish student to a Nazi group, the university's lawyer replied "yes," arguing that "hateful speech has a place in our society too."

To which the court responded, "but the Constitution does not mandate that citizens pay for it." The court then cited Thomas Jefferson: "To compel a man to furnish contributions of money for the propagation of opinions which he disbelieves, is sinful and tyrannical."

The *Southworth* decision gives us the opportunity to terminate the "sinful and tyrannical" way that the radical leftwing movement has been picking the pockets of college students. We hope that other college students will follow *Southworth's* lead and cut off the funding of radical causes on their campuses.

'Yale Five' Challenge College Coed Dorms

Five Yale University students have had the courage to challenge the rule that requires students to live in coed dormitories, where many engage in casual sex without shame and most use coed showers and toilets. The dormitory environment features the open availability of sex manuals and condoms, and attendance at safe sex lectures is required of freshmen.

The "Yale Five," as the media have labeled them, assert that this policy infringes on their constitutional right to practice their religion, which includes an obligation to observe chastity, decency and modesty. Yale, on the other hand, contends that dorm living is "a central part of Yale's education."

The five students, who are Orthodox Jews, tried for more than 18 months to make a reasonable case to the university, but found officials recalcitrant. The details of Yale's residency policy have varied over time, but until 1996, the rule applied only to freshmen, and Yale also exempted students living at home with their families in the New Haven area. One of the Yale Five, Batsheva Greer, has older siblings who attended Yale using the local residence exemption, and she assumed she could follow the same pattern when she entered the university last year. She and her family were amazed at having their request rejected.

Negotiations about the dispute with college officials continued for more than a year. One of the five students, Rachel Wohlgeleit, went through a civil wedding

three months before her planned religious ceremony in order to avoid the rule. Two others paid the room fee of \$6,850 for the 1996-97 school year, but lived elsewhere. By the time the second year of the dispute rolled around, the students declined to pay such a large fee for rooms they never entered.

The Yale Five secured the pro bono services of one of the country's most prominent attorneys, Nathan Lewin of Washington, DC, who filed suit on their behalf, alleging religious discrimination. On July 31, U.S. District Judge Alfred V. Covello dismissed the suit, saying that, "The plaintiffs could have opted to attend a different college or university if they were not satisfied with Yale's housing policy." On August 8, the students announced they would appeal.

The *Yale Free Press* accused the university of "a new pagan orthodoxy," stating that, "When Yale was a conservative place and liberals sought to change it for the better, Yale was willing to accommodate them. But now that Yale is an overwhelmingly liberal campus, we find that traditional groups that ask much less costly accommodations are denied." Wohlgeleit noted: "This issue is not uniquely Jewish, it's a moral issue." Publicity about the case has turned the spotlight on the immoral environment in college dormitories, in which Yale is not unique.

A good sense of the dorm atmosphere can be gleaned from reading the student newspaper, the *Yale Daily News*, which published "Yalexicon: Your indispensable guide to understanding Yale Speak." The definitions include: "*Couch Duty*: Being forced to sleep on a common room couch because your roommate and his/her significant other want some time alone together." "*Sexile*: Banishment from your dorm room because your roommate is having more fun than you." "*Walk of Shame*: When you find yourself in rumpled evening wear, walking to your dorm from someone else's room early in the morning."

While some students support the concept of coed living, others admit that the permissiveness in the dorms "sometimes makes them uncomfortable." One male student observed: "I'm a senior and have my own room, but I have to share a bathroom with three women. I'll be in there brushing my teeth and they'll come in and, well, it's kind of weird."

Some of the dorms have single-sex floors, but separation is never enforced, and mixing is expected. As another student put it: "If you don't participate, you're a weirdo, a sexile."

Another one of the Yale Five, Elisha Hack, said: "We object to the fact that you have men staying overnight on the women's floors; women staying overnight on the men's floors; and bathrooms that kind of get wishy-washy as to whether they're men's or women's."

The liberals, who are now the ruling class at Yale and most college campuses, preach the dogma of tolerance, diversity, and non-judgmental acceptance of all lifestyles. But, it seems, the traditional lifestyle of chastity and modesty is not acceptable. Tolerance and diversity don't extend that far.

What's Going On at College Campuses?

BIZARRE AND WEIRDO COURSES — One reason college tuition is so high is that it must cover the cost of paying high-priced professors to teach dozens or hundreds of worthless courses that are not education at all, but are just propaganda, entertainment, or behavior modification. Here are some titles of courses currently taught at major universities: *Columbia*: "Sorcery and Magic." *Dartmouth*: "Queer Theory, Queer Texts." *Harvard*: "Fetishism" and "Feminist Biblical Interpretation." *Yale*: "AIDS and Society" and "Queer Histories." *Cornell*: "Gay Fiction." *Princeton*: "Sexuality: Bodies, Desires, and Modern Times." *University of Pennsylvania*: "Feminist Critique of Christianity." *Brown*: "Unnatural Acts: Introduction to Lesbian and Gay Literature." *Bucknell*: "Witchcraft and Politics." *Middlebury*: "Female Erotic Literature of Latin America." *Stanford*: "Homosexuals, Heretics, Witches, and Werewolves: Deviants in Medieval Society." *Vassar*: "Global Feminisms." *Williams*: "Witchcraft, Sorcery, and Magic." *Rutgers*: "Homoerotic Literature." *University of Colorado*: "Queer Theory." *University of Massachusetts*: "Rock and Roll." *University of Michigan*: "Crossing Erotic Boundaries." *University of Wisconsin*: "Goddesses and Feminine Powers." ("Comedy and Tragedy, 1997-1998" published by Young America's Foundation, Herndon, VA)

PRINCETON UNIVERSITY — Your \$33,000 tuition will be partially paying the salary of Peter Singer, who has been appointed a Professor of Bioethics. He is an advocate of abortion rights, animal rights, and euthanasia rights, and he teaches that the only reason we value life is the pleasure it produces. If cows lead pleasurable lives, don't butcher them. If handicapped lives are not pleasurable, kill them. Singer supports all forms of euthanasia, voluntary or not; abortion and infanticide; and rights for animals. Who decides which lives are pleasurable? Enlightened people like himself. (*Wall Street Journal*, Sept. 25, 1998)

UNIVERSITY OF CALIFORNIA, DAVIS — The law review policy is to use the female pronoun instead of the male pronoun as a matter of course, "except," according to the editors, "when referring to a criminal defendant, where male pronouns are used."

ARIZONA STATE UNIVERSITY — Professor Jared Sakren of the ASU Theater Department is facing dismissal for teaching Shakespeare and other classic works. A graduate of Juilliard, Sakren was warned by Lynn Wright, the department chair, to stop teaching Shakespeare because it was "sexist," and, if he wanted to have his class perform classical works such as *The Taming of the Shrew*, he must alter the ending to avoid offending women. Sakren's former students include stars such as Kelly McGillis, Val Kilmer, and Fran McDormand, but nevertheless Sakren was denied tenure. He is appealing, and a court will decide whether his constitutional rights were violated. (*Arizona Daily Wildcat*, Feb. 2, 1998 and *Campus*, Fall 1998)

HARVARD UNIVERSITY — Harvard has appointed two lesbians to be housemasters and direct the social life of students at the leading traditional dormitory, Lowell House. (*New York Times*, April 15, 1998)

OLD DOMINION STATE UNIVERSITY, Virginia — When Phyllis Schlafly was invited to lecture here, the feminist faculty protested the invitation to her even though previous speakers on this campus had been a series of extreme feminists, including Susan Faludi, Molly Ivins, Patricia Schroeder, the sexologist Dr. Ruth, Faye Wattleton of Planned Parenthood, and a lesbian army colonel.

WASHINGTON UNIVERSITY, St. Louis — The syllabus for a course called "Sex and Gender in U.S. Politics" features women of the Ku Klux Klan, Anita Hill, sexual harassment, gay and lesbian rights, and the UN Treaty on Women. Eight pro-abortion groups are listed as sources.

DARTMOUTH COLLEGE — The Dean of Admissions, Michele Hernandez, has revealed some of the secrets of the admissions process in a new book called *A Is for Admission*. Most admissions committees, she writes, are not made up of scholars or intellectuals, and they resent students who are well-off and smart. Your college application will fare better if you are from a ghetto, a barrio, or an Indian reservation. To get admitted, you should be someone they can feel sorry for. That will boost your chances of getting admitted and getting financial aid, even if your academic qualifications are lower.

WICHITA STATE UNIVERSITY — The student government sought to change the non-discrimination policy of all campus organizations by requiring their constitutions to add "sexual orientation" and replace "sex" with "gender." After outrage from Eagle Forum Collegians chapter president Betsy Myers, as well as Christian students and groups, the student government decided to postpone its decision and create a study committee.

UNIVERSITY OF ILLINOIS — The University at Champaign freely hands out condoms as part of its "safe sex" message, but the "safety" is now in question. In efforts to cut costs, the university purchased less expensive brands of condoms to distribute in the student health center, and some packages were split down the middle and leaking. The students are demanding new condoms. (*Campus*, Spring 1998)

CITY UNIVERSITY OF NEW YORK (CUNY) — The administration decided to require all students to pass a basic English proficiency test prior to graduation — after public criticism about the decreasing value of the CUNY diploma and the disservice to students who graduate from college without ever learning proper English. Students at numerous CUNY campuses are going to court over the matter because many cannot pass the 12th grade level writing test. Half of CUNY students are not native English

speakers, and CUNY students have been allowed to graduate without ever learning English. Yamile Mendez, the lead plaintiff in the case, said, "You cannot measure a student's capacity with one piece of paper." (*Campus*, Fall 1997)

SAN DIEGO STATE UNIVERSITY — Resident Assistants (RAs) are required to participate in a "diversity workshop." Speakers include representatives from groups such as the Gay, Lesbian, and Bisexual Alliance. One exercise placed all the RA trainees in a room with various ethnic and sexual preference signs. The students were instructed to congregate under the sign that matched their ethnicity and sexual preference. Heterosexual white males were left in the middle of the room. The only group for white students in the Chapultepec Residence Hall is the "Allies for Social Justice," which identifies itself as a "group for people of European decent to help support minority and civil rights causes." (Melissa Cheney, San Diego State University student, Winter 1998)

CORNELL UNIVERSITY — The Resident Assistant program at Cornell not only requires workshops in fire and police procedures, but on human rights and social issues as well. Leftist views are forced on the RAs. One workshop asked RA trainees to describe how the world sees them and how they see the world. Students who did not view the world as unfair, racist and sexist were told by the facilitator, "Well, you have a right to feel that way, but you are deluding yourself." Racism was defined in the workshops as follows: "The institution of people in traditional power roles which discriminates against people in unempowered positions based on their skin color." This definition means that no minority can be labeled a racist. Most role-play situations involve racial, sexist, and homophobic matters. (*The Cornell Review*, October 23, 1997)

UNIVERSITY OF MICHIGAN — Jennifer Gatz was denied admission even though she graduated 13th in a class of 298, scored 25 on the ACT, was a student government leader, cheerleader, homecoming queen, and mathematics tutor. While she would have caught the eye of any college recruiter, having the wrong skin color prevented acceptance to the University of Michigan. The university had implemented the "Michigan Mandate," which boosted minority enrollment from 12.7% in 1986 to over 25% in 1997. The "Michigan Mandate" uses a grid system to score applicants on combined test scores. However, white applicants must fall into one more demanding grid row to be admitted, while those minority applicants who are accepted may fall in a less demanding grid row for "disadvantaged" and "underrepresented" minorities. The Center for Individual Rights has filed suit against the university to assure that other students are not denied admission based on the color of their skin. (*Washington Times*, October 17, 1997 and *Campus*, Fall 1998)

MACALESTER COLLEGE, St. Paul, MN — Students were asked to support Planned Parenthood and NARAL by

participating in a phone bank to identify pro-choice voters in conservative districts and get them to vote for pro-choice candidates. The phone bank operated out of the Macalester College Sociology Department. Students could sign up on the Sociology Department bulletin board. Regular attendees were rewarded with bumper stickers and pins. (WGS Newsletter *Intersections*, November 1997)

YALE UNIVERSITY — A sophomore Yalie could take the following list of courses in complete fulfillment of his sophomore year: Redesigning the Family: Challenges from Lesbians/Gay Men, Photography and Images of the Body, Love Books in the Middle Ages, Intermediate Yoruba, Women's History: Methodical and Comparative Inquiry, AIDS in Society, Listening to Music, Affirmative Action and Civil Rights in the Labor Market, Sexual Meanings, Troubadours and Rock Stars—a Comparison. (Martin Gross's *The End of Sanity*)

UNIVERSITY OF MASSACHUSETTS — Along with five other New England Land Grant universities, the University of Massachusetts adopted a plan called "Vision 2000." The goals of the program are: "Through nine broad recommendations, this document sets forth a vision where women at our six institutions can and should be at the beginning of the next century." Some of the goals include: "implement diversity initiatives, encourage women's academic and career development, establish and support women's centers, and end gender-bias and discrimination against women in the curriculum." (*Vision 2000*, February 1997)

Joseph Epstein, the editor for 25 years of *The American Scholar*, the Phi Beta Kappa magazine, wrote this parting comment: "In academic argument, I have noticed, the radicals almost always win, even though they rarely constitute a majority. Conservatives usually don't care enough to take a strong stand against them."

Abraham Lincoln said: "The philosophy of the classroom today will be the philosophy of the government tomorrow."

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