
Newsletter from Boston

June 25, 1997

Number 8

I was recently asked when my next yearly newsletter was coming out. I replied that the newsletter is not yearly, but comes somewhat more frequently, when my ideas “mature.” But I guess the last several newsletters have indeed been yearly, and this latest one does not even meet that modest goal!

Toward a Gradual Elimination of Affirmative Action

Here we are, nearly 35 years after the first civil rights bill, and the origins of the affirmative action program, and we now appear to be standing on the verge of the ending of affirmative action. Many Americans feel that affirmative action is wrong since it discriminates on the basis of race, while many others are uncomfortable with the dismantling of a program that has been the progenitor of so much positive social change in our society. I wish to explore the basis for the proposed elimination of affirmative action.

First and foremost, it seems to me, that the obvious must be acknowledged, namely, that affirmative action does indeed discriminate on the basis of race, and thus it must, at some time, come to an end. Our national goals must include becoming a land whose laws make no reference to the race, creed or national origin of its citizen.

It is not that our society need or should become color-blind (any more that we should eliminate the important and enriching cultural diversities that arise from different national origins), but the

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law of the land must eventually remove any reference to these differences. Equally important, however, enforcement of these laws, and opportunities within our society, must be uniform for all races across our country, and it was sweeping disparities be-

tween the status of the races that led to the initiation of affirmative action.

The recent debate on this topic seem to me to be primarily concerned with the first of these two issues, namely, that we are maintaining laws that explicitly refer to inherent racial differences between people. Should we not construct the laws that govern our society to be color-blind? If this is ultimately the form toward which our laws should evolve, why should we not today correct our laws to be consistent with the moral principal that the laws of the land should apply equally to all individuals?

These questions have become more apparent and awkward as we have seen situations in which a white student is turned down for law school while a less qualified black student is admitted, or a black business owner is awarded a government

contract reserved for minorities and whites are not eligible for these funds. Our sense of fairness is offended by these outrageous examples.

I would like to offer the thought that these considerations, while important and deserving our reflections, have nonetheless missed the essential point. Namely that affirmative action rests on *two* foundations, both the desire for a legal system that discriminates against no one and *a society with equal opportunity for everyone*. There seems to be very little discussion (at least publicly) of what I think are the two most pivotal questions:

(i) Does one agree that in the 1960s, affirmative action was necessary to redress the terrible social conditions that had evolved following centuries of racism (even if such a policy was itself blatantly racist)?

and,

(ii) Have these social conditions now sufficiently improved such that we have a society with equal opportunity for everyone, or at least sufficiently fair such that continuation of affirmative action would do more damage than it does good?

With the exception of extremely conservative Republicans (and likely few holding public office), I think that most people would now agree that affirmative action has been a valuable public program in this past. Significant and rapid social progress has occurred that might have otherwise developed much more slowly. Thus attention should be focussed on the second question, and this is my motivation for raising this issue.

Has our society sufficiently evolved such that minorities have the same opportunities and legal protections as do the whites of our population? Somewhat strikingly, I see little or no debate of this issue in either the liberal or conservative media. Liberals feel that affirmative action is so important that its value is above debate; conserva-

tives are stuck on the first argument I gave above (social laws should not be based upon race). No one seems to be asking how much quantitative improvement we have made in social conditions in the past 35 years, the extent to which this progress was aided by affirmative actions programs, and whether discrimination in our society has now been largely eliminated, at least in so far as affirmative action would provide further utility.

My own feeling is that while we have made significant social progress, discrimination still remains, both as regarding the lower classes of our society but also of those of minority race. More importantly, many minorities are in situations and environments that perpetuate their condition. While other socially-directed, racially-neutral programs might now be designed to address these problems, we currently have programs that seem to be working, albeit slowly.

There are a number of problems with affirmative actions, and they have been addressed by others at length. However, the Bakke Supreme Court decision (Bakke was a white student suing the Regents of California because he did not get into medical school due to an affirmative action program) that affirmative action programs may set *goals but not quotas* seems to me to go a long way to minimizing these problems. Between individuals of roughly equal talent, I still see utility in giving a *preference* to those of minority race. Thus, I would like to see a continuation of affirmative action for one further generation.

However, whether you agree with my diagnosis and proposed action, it seem that the first decision you must consider when evaluating the future of affirmative actions is whether you think it has been a useful program in the past, and whether you think that the conditions that gave rise to affirmative actions have now been largely corrected. Before you can decide what is the proper

treatment of the current social condition, you must first decide what is the diagnosis, and then you can determine whether or not we need a cure and what the proper prescription would be.

The Myth of the Inefficiency of Government Programs

It is an axiom little challenged in American society that government is a necessary evil of our modern culture. Whether discussing the post office, renewing your drivers license or dealing with the IRS, it is a nearly unquestioned proposition that government is inefficient.

Now this is not to say that even those most critical of government desire its elimination, but instead, they view government as a necessary evil. They see certain necessary functions (defense, welfare, regulation, law enforcement, etc), that government must perform, but it is nearly universally acknowledged, in this country, that government performs these services in a highly inefficient fashion.

The sources of this belief are manifold. A leading contributor is likely the observed inefficiency of many government operations. However, more fundamentally, it is the structure of our free enterprise system and the economic hypotheses upon which it is based that largely give rise to our belief in governmental inefficiency.

Free enterprise and the free market system, beyond their reliance on the private individual that is so prized in our society, rest primarily on the proposition that competition is the engine that drives our economic system. Where there is no competition, there is waste, inefficiency and greed.

Evidence for this proposition is ubiquitous. One need only go to the single cafeteria on a university campus, pay your cable TV bill, or examine the gross inefficiencies of communist coun-

tries to recognize the truth of the proposition.

Now, as government has no source of competition (with rare exceptions such as Federal Express competing with Express Mail from the Post Office, or perhaps the interesting example of national defense), it would seem that the obvious conclusion is that government is by necessity inefficient as compared with organizations generated by a market economy. I wish to here demonstrate that there is, at least, one very significant exception to this rule, and then explore why this exception has occurred. The exception that I wish to explore is that of the field in which I work, namely medical research.

The quality of medical care in the U.S. is internationally and nearly universally recognized as the best in the world. Perhaps chief among the reasons for this leadership has been the phenomenal progress made in medical research. The growth of scientific knowledge in our century has been unparalleled, and medical sciences have been in the forefront of this revolution.

While it has been popularized that medicine in the United States is a private venture, a glorious success that recently was threatened with governmentalization (National Health Care), the reality is quite different. Medicine care in our country is supported in significant fashion by federal contributions. More importantly, medical research in the United States is almost entirely funded by the federal government. In 1996, the United States Government spent approximately 10.5 *billion* dollars on medical research, the bulk of which was supplied by the National Institutes of Health. Private foundations and private industry provided a much smaller amount for medical research; by far the largest such private contributor has been the Hughes Medical Research Foundation (0.3 billion in 1996), a charity set up to fund medical research. Furthermore, of the re-

search funding provided by private companies (primarily the pharmaceutical industry), most of these funds are dedicated to furthering the development of drugs already identified by basic medical research, funded through public mechanisms.

Now I do not mean here to be critical of industrial research. It serves an extremely valuable function and in many fields far surpasses government research. But in the area of basic medical research, the government has provided the bulk of research funding (clearly this has been largely for political reasons). In such an environment, it had not make good economic sense for private industry to devote a significant fraction of their resources to basic research. Instead, they properly focussed their research efforts on applied research such as drug development following on fundamental findings resulting from basic research.

The question to be asked is, given that government has largely funded basic medical research for at least the past 25 years, how is this field been so successful and avoided the pitfalls normally associated with a government venture?

First and foremost, it needs to be recognized that only a small fraction of medical research is actually conducted by the government itself (about 10% of the NIH budget is for intramural research on the NIH campus). The bulk of the budget is for funding of university and hospital research laboratories (and, a very small fraction is actually awarded to private companies). While it might be argued that the success of this program is due to the award of government research projects to non-governmental contractors, neither universities nor research hospitals are paragons of private competitiveness.

And thus the question remains, why is governmental-funded research so successful in our country? I would attribute this success to two separate

factors; first, a differing set of rewards that characterize the field of medical research, and second, a competitive character that pervades the field in spite of the lack of private funding.

The first point is obvious to anyone acquainted with scientists. They are a different breed that get their rewards from their accomplishments and the recognition of their peers as much as from their financial rewards. Most scientists in the research community could have had professions with higher salaries, but chose not to, so that they could pursue their love of research. For these investigators, increased financial awards do not represent the most significant incentive. The thrill of the hunt, the accolades of their colleagues, and even the distant possibility of a Nobel prize are among their more significant inducements.

The second factor that I think is crucial to the current success of government-funded medical research is the competitive nature upon which it is based. The researchers, while not fundamentally driven to pursue large financial rewards, nonetheless require funding to do research. Government contracts are awarded through a highly competitive peer-review process. Thus researchers compete with one another and work long and hard to give themselves the best possibility to be awarded research contracts. This competition yields many of the same benefits as found in private sector competition.

So I conclude that medical research, as is true in other areas of our society, has been successful because it exploits the competitive desire of individuals for rewards. However, unlike the private sector, the competition is managed by the government and the rewards that are given for success are only partially financial.

While private enterprise is largely more efficient than government, there are some ventures

that need to be done by the government. The strategy used to conduct medical research in our country may be a model for other government enterprises. If government needs to be involved in an activity, it works best when it regulates the competition between providers of the necessary service, and when it is recognized that financial reward is not always the only or even the main reward being sought!

Comments from Last Newsletter

Again I confess, it has been much too long a time since the last newsletter. I hope you recall the issues raised there which included a review of the decision to drop the bomb on Hiroshima, the rather esoteric issue of secret party declaration in the Massachusetts primaries, and finally the importance of the IX Amendment to the U.S. Constitution ("The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people."). Regarding the first topic, several individuals posed the following question to me: "If the Japanese could have been persuaded by a demonstration bomb, why did it take two bombs for them to surrender?"

First, I need to point out that I was not arguing that dropping the bomb was wrong. Instead, my thesis was that there has been very little public discussion on this most important issue, and the canceling of the Enola Gay exhibit at the Smithsonian showed that, even today, we are not yet ready for a full and open discussion of this topic. It is interesting also to note that the planned Enola Gay exhibit was privately praised by the chief historian of the Air Force even though he later public asked how "the Smithsonian had managed to make a hash of such a 'morally unambiguous' subject as the use of the bombs (Dower, *Technology Review*, Aug 1995).

However, to return to the question at hand, I find it best to quote Dower: "... the atomic bombing of Nagasaki on August 9 ... occurred before Japan's high command had a chance to assess Hiroshima and the Soviet entry. Indeed, even many Japanese who now accept that Hiroshima may have been necessary to crack the no-surrender policy of Japanese militarists maintain that Nagasaki was plainly and simply a war crime."

Hiroshima was attacked on August 6; the Russians entered the war on August 8 (this event is thought by historians to have been a bigger surprise to the Japanese that the atomic bomb). As I understand it, the Japanese had not yet even received complete information from Hiroshima about what had occurred, and were still evaluating what had happened when the next bomb dropped. Thus, it is not at all clear that "it [took] two bombs for them to surrender." We simply did not make any kind of effort to allow them to make a decision.

While there was little discussion on the other two issues from the last newsletter, another topic that continues to generate some discussion is from the Newsletter of 8 Nov 94 (two back). The piece I had then written regarded the relationship between a belief in a free will and a belief in God. My thesis was that belief in the former required a belief in the latter. In the last newsletter (12 Dec 95), I commented on several interesting points that had been raised by others. However, I also raised there a question not raised by others, namely, what did I mean by a "free will." This question has continued to interest me.

Regarding free will, Hegel, in *The Philosophy of History*, says that "Freedom is merely to know and understand such general and substantial matters as law and right, to will them and to create a reality which suits them -- the state." I interpret his statement as meaning that Freedom (free will)

requires both that you can do what you want, but that you also understand, from the point of view of right and wrong, what you are doing (otherwise animals would have to be regarded as having a free will). So when you chose an action, and you understand the consequences of that action, then you are exhibiting free will.

This seems reasonable to me, although it leaves undefined how you know that you understand the consequences of your actions. I am interested in how others of you define free will, and importantly, how you would demonstrate that we do indeed have a free will. (And for those that would quickly dismiss the existence of a free will, you might think about the basis of law and moral decisions if we have no free will).

Wild Recipes

As many of you know, wild foods have now become my latest passion (along with wild mushrooms). Well, what do you make with these wild foods? Try these two wonderful, but unusual recipes!

Wild Sumac Lemonade

Along the interstate as you are driving, you frequently see along the side of the road a bush/tree with green leaves and clusters of what look from a distance like red berries. This is likely Staghorn or Smooth Sumac (not to be confused with poisonous White Sumac with white berries). These hairy red berries (they are not really like berries since they are dry; the flavor comes from their surface) can be used to make a wonderful lemonade that has the flavor of a lemon tea.

20-40 bunches of the berries

cold water

sugar to taste

Put about half the berries in a large container and fill with cold water (volume of water about the same as the unpacked volume of the berries, so that the water just covers the top of the ber-

ries). Let sit for 15 minutes. Then strain. Put the other half of the berries in the same container and add back the strainer fluid. This will concentrate the flavor. Let sit for 15 minutes. Strain carefully.

This liquid will be good for at least a week or two in the refrigerator. To make the lemonade, add roughly 1/3 cup of the concentrate to 2/3 cup of sparkling water. Add sugar to taste, and stir vigorously.

A wonderful summer treat with a unique flavor. You can also use the concentrate to make delicious salad dressings using the concentrate in place of lemon juice or vinegar.

MilkWeed Flower Fritters

Doug Johnson: this recipe is for you! Common milkweed is a wonderful wild edible with many parts of the plant useful.

Collect **Milkweed flowers** (late June, early July) (the buds that arise a little later in the season work almost as well). Dip into boiling water for 1 minute to dispel bitter flavor and mildly toxic character of milk.

1 cup flour

3 medium eggs, separated (keep only the whites)

2 tablespoon peanut oil

1 cup half and half

Peanut oil for cooking

Put the flour in a bowl. Add oil and half and half; whisk until smooth. Set in refrigerator and let sit for 1 hour.

While batter is resting, beat the egg whites until soft peaks hold their shape. Add milkweed to the batter. Then fold the egg whites into the mixture.

Put oil into frying pan to a depth of 1/2". Heat until water sizzles when added. Drop fritter batter in a large spoonful at a time, and fry both sides, until golden brown. Remove and drain on paper towels. Serve with lemon and confectioners sugar.

You guests will be shocked and eat the first one very slowly. The rest will go quickly!