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News and Comment

Higher Education Bill: It Has Bipartisan Support, But There May Be a Lively Battle Anyway

This week the House passed and the Senate began debating what will probably be the major education bill of the session.

The bill provides \$300 million a year for academic facilities and, in the Senate version, also for beginning a program of federal scholarships which will grow in a few years to 50,000, 4-year scholarships annually. The Senate version, as brought to the floor, allows no money for outright grants to universities, on the grounds that this might be unconstitutional, since some of the money will go to church-connected universities. The House version divides the \$300 million annually 60-40, with the larger share going for grants, the rest for long-term, low-interest loans.

The kind of bill that will finally pass, then, depends heavily on the outcome of a Senate-House conference that will be held to resolve differences between the two bills. There will be an effort in conference to get the Senate to accept the House's grant

provisions and the House to accept the Senate's scholarship provisions.

Some sort of higher education bill would have passed last year if the wrangle over church and state had not developed. The House bill, which then contained a modest scholarship program as well as grants and loans, was killed in the Rules Committee along with the rest of the Administration's program for education. But it had come out of the Education and Labor Committee with the support of a majority of the Republicans as well as the unanimous support of the Democrats, and it was generally assumed that it would pass the House by a comfortable margin.

There was a good deal of recrimination about the Rules Committee fiasco. Edith Green, of Oregon, who chaired the subcommittee which wrote the bill, along with a number of others, had argued all along for giving the higher education bill priority last year, in order that this most widely supported of the Administration's education bills could get through the House promptly, before it could be tied up in a controversy over general aid to education. The Administration, though, insisted

on giving priority to the general aid bill. It took the view that the higher education bill could be pushed through any time, but that the general education bill, needing all the help it could get, would have a harder time getting through if it were brought up after the House had already passed another major education bill.

As it turned out, of course, Mrs. Green was right. The Administration strategy resulted in the failure to pass the higher education bill without helping to save the general education bill, although at the time the decisions on priority were made it was hard to foresee how really intense the church-state controversy was to become. Aid-to-education bills had, after all, been before the House for years, and the church-state controversy had never before been a major factor.

This Year's Strategy

Against this background, the decision this year, understandably, was to get a higher education bill through the House as promptly as possible. In order to get the bill through the Rules Committee it was technically necessary to report it out of the Education and Labor Committee again as a new bill. This was done at the tail end of last session, and in order to give the bill its best possible chance, the more controversial scholarship section was left out. The bill still could not get through, for by that time the controversy had become so bitter that there was no majority for any kind of bill.

By the opening of the new session, things had calmed down. Everyone had had several months to cool his temper, and the evident intention of

the Administration not to push for general aid again this year had removed a lot of the emotion from the general area of education legislation. The Rules Committee was asked to clear the now-stripped-down higher education bill, and did so with no fuss. The bill came to the floor Tuesday of this week. It rolled through with the support of all the northern Democrats, three out of every four Republicans, and two out of three southern Democrats. Even those arch-foes of government spending, Judge Smith and Clarence Brown, the chairman and ranking minority member of the Rules Committee, voted "aye." The vote was 319 for, 79 against.

Meanwhile, in the Senate further complications were at work. The Senate, like the House, had reported a higher education bill out of committee last session, but had not got around to debating it on the floor and bringing it to a vote. The problem in the Senate was not, as in the House, that there was any difficulty in getting a majority for the bill, because of the church-state controversy, or in getting the bill to the floor. There is a ready majority in the Senate for this bill, as for most of Kennedy's program, and control of the flow of legislation to the floor is in the hands of the majority leader, rather than an independent committee, as in the House. The Senate leaders apparently held up the bill to give the House a chance to act first. If the House was not going to act, there was no need for the Senate to do anything.

Once it became clear, in the new session, that the House would act, the Senate leadership promptly scheduled the bill for debate. The question in the Senate is not over passage, which is assured, but over the question of including grants as well as loans.

At the time the new Administration was preparing its education proposals last year it was expected that they would include a request for grants as well as loans for higher education. There was some surprise when the Administration proposal asked only for loans. Kennedy, as the first Catholic president, apparently did not want to recommend outright grants, some of which would go to Catholic universities, and the Administration position was interpreted not as opposition to grants, but as a reluctance to take the initiative in asking for them.

The Senate committee declined to take the initiative. It considered, but

finally discarded, a proposal to make part of the \$300-million annual outlay available for grants. But by this time the committee's action was open to varying interpretations. Over in the House, Mrs. Green's committee had, with bipartisan support, added grants to the bill. But it had already cut down the scholarship program as a concession to the House's greater conservatism, and there was a strong chance that the scholarships would be knocked out completely when the bill reached the floor.

The insertion of grants in the House bill meant that it was no longer necessary to include grants in the Senate version, since if they were already in the House version, they could be inserted in the final bill during the conference to resolve differences between the House and Senate bills. The Senate committee's refusal to include grants, then, could be interpreted as really indicating that a majority of the committee had doubts that grants would be constitutional. Equally reasonably, if less straightforwardly, it could be interpreted as indicating that the Senate committee deemed it good tactics to leave something out of its bill, which could then be inserted in conference as a concession to the House in return for the House moving closer to the Senate view on scholarships. A device like this is not really very effective, but if the vote in the House on accepting the conference report was likely to be very close, then the tactic might just possibly win over enough fence-sitters to carry the day. In any case, there is nothing to be lost by giving it a try.

At the moment it appears that a little of both motives guided the Senate committee's actions. Wayne Morse, the chairman of the subcommittee which wrote the bill, has committed himself strongly to the view that the grants would probably be unconstitutional. Other members are not so heavily committed. Senator Jennings Randolph of West Virginia, who is generally counted among those who doubt the constitutionality of the grants, recently made a speech which suggested that he might be willing to go along with grants if provisions were written into the bill, as they could be in conference, drawing a line between church-connected schools which could be considered primarily educational institutions, and those which could be considered primarily religious institutions. This distinction

might, he suggested, be drawn along lines suggested to the Senate committee by the American Civil Liberties Union, using such criteria as whether the school is open to students of any, or no, religion; whether courses in religion are required for a degree; and whether the curriculum is determined by those charged with educational, rather than religious responsibilities.

It appears that criteria could be drawn along these general lines which would allow grants to higher education, although not to parochial grammar and secondary schools, nearly all universities meet, or come close to meeting, the ACLU criteria. Catholic universities, for example, generally have some non-Catholic students, do not require non-Catholics to take courses in religion, and are administered by men who, although priests, are more generally thought of as educators who are also priests, than as priests who also are educators.

Randolph's speech, then, suggests that the Senate conferees are not likely to be wholly wedded to the notion that grants would be unacceptable. The House conferees will not be wedded at all to the notion that scholarships would be unacceptable. They will all be for it. Their problem will be to decide how much of the Senate scholarship program they could include in a conference report, and still have a chance for the House to accept the report.

Political Tactics

There is some division of opinion on the House side over whether an effort should be made to push through a scholarship program as part of a conference report. Those who are for scholarships, but against the attempt, feel that any effort in this direction stands little chance of succeeding, and they are afraid that it may lead to a controversy that would kill the entire bill for another year. Mrs. Green, though, appears to favor making a try.

The Administration, to judge by Kennedy's tactics in the last couple of weeks, is likely to support the idea of trying to push for scholarships through a conference report. This would not necessarily imply that supporters of scholarships think there is much chance of actually getting them, only that the Democrats would like to get a recorded vote on who is for scholarships and who is against them. If the conference report is beaten, a new conference can be

arranged to bring out a report the House, hopefully, would accept. This would not do much for scholarships, but it would provide another useful piece of ammunition for the fall elections, by putting the House Republicans on record as opposing a measure the Democrats suspect is widely supported in the country at large. Certainly, on Kennedy's proposals for a cabinet department for urban affairs and on medical care for the aged, the immediate objective of the Democrats is, not to get the measure passed, but to force a vote on them.

Among the Republicans, meanwhile, there is a sharp division over how to react to the Democratic tactics. The conservative Republicans—a heavy majority of the Republicans in the House and a substantial majority of those in the Senate—see a mood of conservatism in the country and insist that despite the President's personal popularity, there is no widespread support for his program. The liberals are unconvinced. They claim that Republican congressional leaders too often lend a helping hand to Democratic efforts to portray the Republican party as out of touch with the interests of the great majority of the public. This week one of the Republican liberals, Senator Cooper of Kentucky, took the unusual step of publicly attacking Senator Goldwater, and suggesting that the party was in for a terrible beating if it let itself become identified by the public with his views.

The Republican leadership in Congress lies somewhere between Goldwater and Cooper. The overwhelming support the Republicans gave the higher education bill indicated that Halleck, the minority leader, had made a special effort to line up a good Republican vote. But there would be no such support for even a modest scholarship bill, and a number of Republicans favorable to scholarship aid took the floor to attack in advance as sleazy tactics any notion of slipping scholarship provisions through the back door, as it were, and announced that they would have to oppose any conference report with scholarship provisions. The Democrats sat quietly and offered no clue to their intentions. The attempt, if made, would embitter some moderate Republicans whose votes have often provided the margin of victory for important Administration bills. But politics is politics, and this is, after all, an election year.—H.M.

Kennedy on Cholesterol: An Episode in Which the President Mixes Fats and Politics

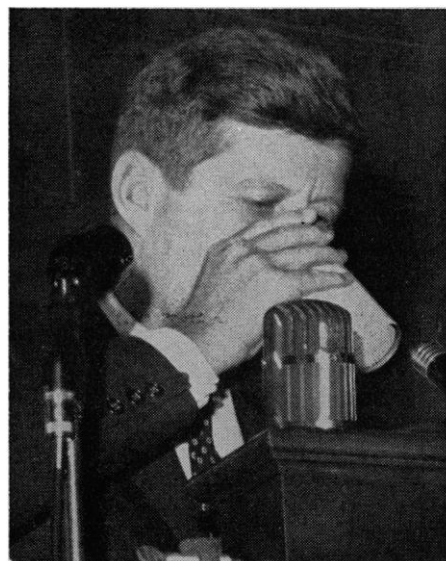
The sagging fortunes of the dairy industry led President Kennedy last week into a public discourse on diet and atherosclerosis. While the nation's dairy farmers had no reason but to be buoyed by the President's words, it appears that precision in describing the generally accepted scientific conclusions on this subject took second place to a desire to help the dairymen sell more milk.

The occasion for Kennedy's venture into the cholesterol controversy was the National Conference on Milk and Nutrition, which was called to counteract last year's 2- to 3-billion pound drop in dairy-product consumption. This drop occurred despite a 1.7-percent increase in population, and is understandably a matter of grave concern to dairymen and hence to congressmen from dairying states.

Addressing himself to what is considered as one cause of the decline in dairy-product consumption—concern about cholesterol—Kennedy stated: "... the Food and Nutrition Board of the National Research Council has concluded, after intensive research, that the association of milk consumption and coronary disease due to an increase in cholesterol level has not been sufficiently established to justify the abandonment of this nutritious element, except where doctors have individually prescribed special diets for those found to be susceptible to special cholesterol or coronary problems."

Kennedy was, of course, correct in pointing out that nothing has been established that justifies the *abandonment* of milk, a step which finds no advocates outside the ranks of food faddists. But the report to which he referred, which was published in 1958, by no means lets milk, or other foods high in fats, off scot-free. "Circumstantial evidence," the National Research Council board stated, in part, "indicates that the kind, or amount, of dietary fat is in some way related to atherosclerosis in man. A change in intake of the more saturated fats in the diet may ultimately prove desirable for health, but is not mandated by currently available evidence."

Conflicting even more sharply with the impression created by the President is a report issued last year by the American Heart Association. The report, prepared by the Association's Ad Hoc



President Kennedy, finishing his talk to the dairy and nutrition conference, takes a drink of milk. [Wide World Photos, Inc.]

Committee on Dietary Fat and Atherosclerosis, stated, in its conclusion: "The reduction or control of fat consumption under medical supervision, with reasonable substitution of polyunsaturated for saturated fats, is recommended as a possible means of preventing atherosclerosis and decreasing the risk of heart attacks and strokes. This recommendation is based on the best scientific information available at the present time. More complete information must be obtained before final conclusions can be reached."

Kennedy also discussed what is considered to be another cause for the drop in milk consumption, concern about radioactive fallout. On this topic he was on scientifically sounder ground, basing his assurances of milk's safety on the findings of the Public Health Service and the guidelines established by the Federal Radiation Council.

The President concluded by announcing that milk would henceforth be served at all White House meals, and, to the delight of his audience, he then produced a glass of milk from the lectern and tossed it down.—D.S.G.

Birth Control: Pakistan Receiving Direct Swedish Assistance

Pakistan has concluded an agreement to receive birth control assistance from the Swedish government.

Sweden, where birth control is a subject unfettered by religious or politi-