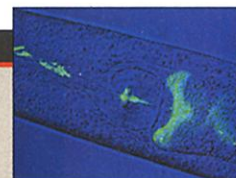
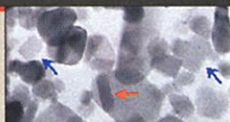


Clinton
talks about
science

Martian
bacterial
compass?



Models of
infection

AFFIRMATIVE ACTION

Court Backs Michigan Policy on Diversity

A federal district court last week upheld the University of Michigan's race-sensitive admissions policies, pleasing advocates of affirmative action in higher education. The ruling was based in part on research showing that diversity enhances education, an argument that opponents of affirmative action reject as bad science. However, the ruling clashes with a 4-year-old decision by another

school. Both rulings conflict with *Hopwood*, a 1996 appeals court decision that outlawed race-sensitive admissions policies in universities in Texas, Mississippi, and Louisiana. Those conflicting rulings could set the stage for the Supreme Court to return to a topic that it has not visited since the historic *Bakke* ruling in 1978. In that decision, written by Justice Lewis Powell, the court struck down the two-tiered admissions system at the University of California, Davis, law school, but said that efforts to assemble a "diverse student body" were permissible.

Michigan's current system assigns applicants up to 150 points based on a variety of factors, including race (see graphic). "[T]his court is satisfied that ... the current [undergraduate] admissions program represents a permissible use of race ...," Duggan said.

In arguing for the benefits of diversity, the court cited work by University of Michigan psychologist Patricia Gurin. She has analyzed data from longitudinal surveys at Michigan and elsewhere to conclude that "students who experienced the most racial and ethnic diversity"—as gauged by social interactions and attendance at courses on multicultural matters—showed the greatest "engagement in active thinking processes, growth in intellectual engagement and motivation, and growth in intellectual and academic skills" (see www.umich.edu/~urel/admissions). A 1998 book by former Princeton University President William Bowen and former Harvard chief Derek Bok also cites the benefits of affirmative action for minorities.

Michael Martinson of the Washington, D.C., law firm Hogan and Hartson, which filed a brief for the defense representing several major educational associations, says that the diversity argument has replaced "remediation" as the central pillar supporting affirmative action. While remediation must be based on past discrimination, Duggan declared that "the need for diversity lives on perpetually."

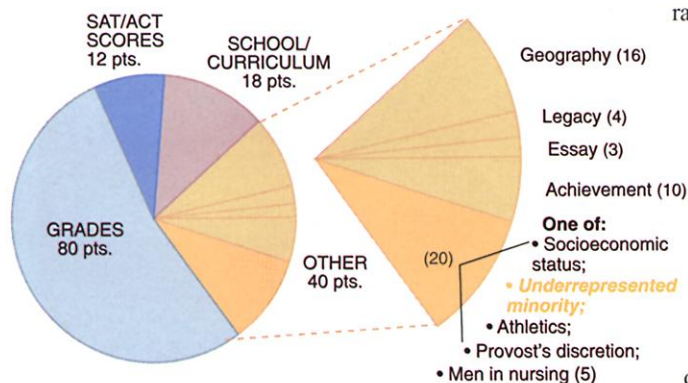
Not everyone is impressed with the quality of diversity scholarship. Harvard historian Stephan Thernstrom calls Gurin's research "absolutely ludicrous as social science" and says her study measures "exposure to diversity

courses, not exposure to diversity." Gurin says her methods are "absolutely standard" in social science, and that a high proportion of people in ethnic studies classes is nonwhite. Ultimately, though, opponents of affirmative action say that their argument rests on legal grounds. "Diversity is good, but lots of good things won't pass constitutional muster as justification for race discrimination," says CIR spokesperson Curt Levey.

Each side also believes that the wind is blowing in its direction. That split ensures an attentive audience for the next battle: CIR's suit claiming racial preferences in the admissions policies of Michigan's law school. It's scheduled for trial next month.

—CONSTANCE HOLDEN

How Michigan Keeps Score



Numbers represent maximum points. A perfect score is 150. No more than 40 points may be awarded under the "Other" component.

er federal court, opening the door to a possible review by the U.S. Supreme Court.

The Michigan case, *Gratz v. Bollinger*, was brought by Jennifer Gratz, a 23-year-old white woman who claimed she had been unfairly turned down as an applicant in 1995. Gratz was backed by the Center for Individual Rights (CIR), a Washington, D.C.-based group that has led attacks on affirmative action policies in three states and has another suit pending against Michigan's law school. Gratz won half of her case, with Judge Patrick J. Duggan ruling that Michigan's admissions policy then in force smacked of an unfair, racial quota system. But Duggan said that its current policy, adopted in 1997, is a valid attempt to achieve "a racially and ethnically diverse student body." Such diversity, he added, "produces significant educational benefits."

The ruling, expected to be appealed, is the second such decision in 2 weeks. In early December, a three-judge panel of a federal appellate circuit court in California upheld a now-defunct affirmative action program at the University of Washington, Seattle, law

CELL BIOLOGY

Disease Genes Clarify Cholesterol Trafficking

For most of us, worries about cholesterol focus on whether this lipid is building up in the arteries of our hearts or brains, priming us for a heart attack or stroke. But for a small number of people suffering from a rare hereditary disease called Niemann-Pick C (NPC), cholesterol can cause even more serious problems. It so clogs their cells, particularly their brain cells, that the cells can't function normally and degenerate. Patients usually die in early childhood.

Now, two groups report results that should help explain what goes amiss in this devastating disease. Their findings should also help solve a long-standing mystery about how cells normally handle cholesterol, and they could eventually point to new ways to treat NPC patients as well as the much larger population with elevated blood cholesterol levels.

Researchers have known for about 7 years that NPC is caused by mutations in either of two separate genes. Mutations in both result in a massive accumulation of cholesterol in tiny sacs, called lysosomes, located in the cell cytoplasm. Something apparently blocks cholesterol's normal transfer to another cell structure, the network of membranes known as the endoplasmic reticulum (ER). Three years ago, a team led by Peter Pentchev and Danilo Tagle of the National Institutes of Health (NIH) identified one of the genes, *NPC1*, which causes 95% of NPC cases. Now two research teams have fingered its partner in crime, *NPC2*, and also discovered