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Regulation and the Universities

It is no news that a sharp political contest is under way between the proponents of federal responsibility for such social objectives as equality of opportunity and public health, and those who believe that the regulatory apparatus for meeting that responsibility imposes unacceptable costs on other, equally valid goals. Perhaps it is not even news that the universities, once securely counted in the constituency for intervention, are now complaining about it. But it certainly is news when spokesmen for the nation's academic scientists claim that the universities are in league with the federal regulators—having been required, one presumes, to pay off a Faustian bargain the universities made in return for federal patronage.

This last case is not convincing. Most of the regulations that now trouble the universities are neither explicitly related to past federal patronage nor unique to educational institutions. They reflect congressional concern about such general problems as access for the handicapped and the safe handling of carcinogens. Because these concerns are occasionally amplified by demonstrated abuses, the universities will continue to feel their impact—along with the profit sector, which has felt it all along. But the newness of the experience sensitizes the universities to it in a way that is sharpened by frequent insensitivity on the other side—as when they receive compliance letters that begin "Your firm." The increased regulatory attention to universities, however, reflects concerns that are hardly special to the academic sector. In a troubled economy, it is natural for *all* payers, government included, to demand stricter accountability.

Meanwhile, social attitudes about the universities have been changing. In the mid-1950's higher education was felt to merit, because of its special social value, exemption from many obligations that fell to other sectors. Today, to labor organizers, community neighbors, and government regulators at all levels, the universities look not so much *special* as merely *large*. Harvard and Stanford are coming to be perceived, and therefore treated, like General Motors or Boeing.

This perception fits all too well with another: that all large bureaucracies are bad. Philip Abelson implied in this space on 25 April that university bureaucracies are in league with the feds to skim off research funds into administration. That view allows annoyance to overwhelm reason. University administrations *are* larger, but for good reasons. They are engaging in more transactions—processing more gifts, managing more scholarship funds, defending more lawsuits. They are also running bigger plants and running them better than in the 1950's, when undermanaged enterprises survived because the world was simple and the economy growing. And they *are not* working against the interests of scientists in the university. To accuse them of collusion with federal bureaucrats ignores, for example, the intense effort they mounted to ameliorate the recent round of A-21 revisions.

In the end, a good deal of accommodation will be needed to solve the problems of regulation and the universities. For the universities, shifts in public attitudes and the newness of the experience present special difficulties; for the regulators, there is a need to get used to a different clientele. Each party needs to recognize that the work of the other merits a strong presumption of validity. That accommodation will *not* be speeded by the delusion that the universities are special targets, or that their administrators are double agents.—DONALD KENNEDY, *Vice President and Provost, Stanford University, Stanford, California 94305*