

DeVane Lecture Discussion #14 – April 26, 2001

AK Good afternoon and welcome. I'm here today with Professor Jim Scott of the Political Science and Anthropology Departments to discuss with him some of the themes of his fascinating—I'm tempted to say fantastical—lecture on Tuesday. I thought, Jim, that I might begin with the following question: lots of people in the audience, listening to you on Tuesday, and very sympathetic to your polemic, and fully appreciative of the deforming effects that certain calculative strategies of management are bound to have, will nevertheless have been left with the simple counter thought that when you're administering anything for a very large number of people—the SAT tests, the building of dams in underdeveloped countries—you name it—whenever you're doing anything that involves a large number of people and you want to make decisions in as fair and balanced and neutral a fashion as possible, you will be pushed toward methods and techniques that are, by their nature, quantitative and, sure, that leaves a lot out, and sure, maybe it has some serious, distorting consequences. But can we really do better than that if we start with a will to be fair and the problems of scale, of large size? Is there any way around it?

JS Well, it's not as if I have figured out exactly the system that ought to replace the system I criticize. So I don't, in any respect, have a fully developed version of a replacement, of a more successful strategy, and I went out of my way to say that the system it replaced was even less satisfactory in lots of ways. But I can actually say something about the kinds of characteristics that a system that I would find minimally satisfactory would have. And I understand the way in which—if you're in charge of admissions to the University of California—you need simple decision rules. It's hard to look at every dossier. The bureaucratic simplicity and ease lead you, not inevitably, but they lead you in a very powerful way toward the use of these techniques. I don't think we can live in a world in which we don't have exams of one kind or another. And my test of an exam is that it represent -- as much as an exam can -- the activity that you are being trained to do. So a successful exam would look like a job or a major element of a job. So a test for engineering would be to actually try to sketch, perhaps, the solution to an engineering problem. A test of a political scientist—speaking of my own field—would, for a research political scientist, involve writing a research paper of one kind. And so the idea of compressing an assessment into a general test of intelligence when we know that forms of intelligence are so varied, seems to me to be unsatisfactory at its core. I understand its political drawbacks, but it seems to me that the recognition, for example, that a university is graced by many different kinds of talent and the magic that they make together. . . One could imagine a set of techniques for selecting a freshman class, here or anywhere for that matter, that would apply a whole series of different criteria in an effort to achieve an effect in the freshman class intellectually and socially, and then, it seems to me, by making those criteria explicit and transparent, we could have a productive debate about those criteria, a critique of those criteria. ANd over time, it seems to me that people would get used to an open rather than an opaque political process by which these criteria evolved—not that they would ever be completely satisfactory, but they would continually be the object of an open—and in the political arena—a democratic debate.

AK I think there the crucial starting premise is the acceptance of a plurality of goods and not just one as goods which the institution in question—in this case, a university—is meant to encourage, to nourish and to reward, and which presumably it is looking for in the students and

faculty that it means to attract. And to say plurality is to suggest not only variety but a variety which in some important sense is incommensurable—the goods may indeed even be in conflict with one another but certainly can't all be reduced to variant expressions of one common thing that runs through them all. And as soon as you accept that proposition, which I think is a fair description of this or frankly any other university, then you have to give up the ambition of discovering or inventing a metric which you can apply to all of your applicants or faculty candidates or whatever because there is no single dimension. There may be a dominant dimension, but there will be others and they fit with that one in complicated and sometimes awkward and rather tense and difficult ways.

JS It seems to me one reason why there has to be a plurality of criteria by which you make these decisions is this. (Perhaps we shouldn't concentrate just on university, but since I dwelt on universities, we can pursue this line of inquiry for a while.) A university has to ask itself who deserves the opportunity for a higher education at their particular institution. It then has to ask itself, what kind of a student body will create the intellectual, social, and academic effects that they hope to achieve. And it also has to ask itself what it hopes to contribute by that to the wider society after people graduate. And each of these criteria is somewhat different, and would lead to different criteria. I mentioned in the discussion yesterday with the TAs a procedure, a rule of thumb that I had the impression was used by an ex-Director of Admissions here when I first came, Worth David, which I thought was an interesting rule of thumb. It was that one should set aside a lot of the freshman class for students who showed passion and excellence at something—it didn't matter much what. And so, on this criterion, you would take people who would never have the scores to get into Yale but, for example—I used this example because I think he used it—you would take a kid who had the largest insect collection ever put together in Iowa and who couldn't add two and two. You would take someone who did differential calculus at age 11 but couldn't write an English sentence. You would take someone who wrote four plays and produced them. That is, people who had not been smart in the strategic sense of getting good grades for mommy and daddy and getting good scores, but who had thrown themselves, heart and soul, into something and achieved something excellent. So enthusiasm, passion and excellence. And the idea was that these people mixed together—many of them one-sided people, not well rounded applicants, if you like—create a kind of collective magic—that's one rule. One of the reasons why I actually prefer the American education system to most European education systems is it permits colleges and universities to each invent a set of different standards by which they select people, thereby providing a kind of biodiversity, if you like, in the academic world that, for example, the French don't have. There's a famous story about the Third Republic of France where an Englishman is visiting and the French Minister of Education looks at his watch and it's 10:15 in the morning, and he says, "I can tell you which passage of Cicero everybody in such and such a form is annotating right now, all over France." And he said that with a sense of pride that it was like a clockwork system. And it's not a system that I find particularly admirable.

AK You know, there is one human advantage. It may seem a strange one, but there is one human advantage to systems of calculative decision making and that is that the human beings who are subject to them and who aren't chosen or given the benefit, who are deemed to be unmeritorious for whatever reason, can always explain their failure to be selected on the grounds that, of course, the human quality which they possess—which is real and valuable—isn't noticed

or captured in this mathematical net. I had a conversation a few weeks back with the parents of a young woman who had applied to Yale College and not been admitted and her grade point average and SAT scores were slightly below the median of those of the students that Yale has been accepting in recent years, and the student's mother said, "But, of course, the university just couldn't see—it refused to see, it was unable to see—the intelligence and the loveliness and the moral ambition in my daughter's soul." She didn't use those words but equivalent words. And it made her angry at first but it was a source of considerable comfort, too. I worry . . . This is a familiar dystopian dream. . . I worry that a world which is perfectly, ruthlessly meritocratic, in which every selection decision, every recruitment decision, every promotion decision is made with perfect accuracy, remorseless finality and clarity, would be utterly unbearable in human terms, not to mention undemocratic. We live off of the bits of good and bad luck that manage to infiltrate, and that a purely numerical system actually creates in some ways.

JS The purely numerical system . . . The man who invented the term "meritocracy," Michael Young -- he actually believed that the IQ number was a permanent index of how intelligent you were. He worried—this was in the 1920s—he worried that, if a ruling class were chosen on the basis of IQ, then the working class would lose the source of its anger, that is, that they lived in an unjust world where people of birth and wealth simply prevailed despite merit. If they believed in the IQ the way Michael Young did, they would have to admit that they were governed by their betters, and they would lose the edge and anger that provided the energy for a socialist politics. So it's not a trivial thing to ask about different systems of selection, what they leave. I think the SAT functions as an IQ test and I think many people who then don't make it to the college of their choice, or don't make it to college at all, imagine that it's their failure to take tests, their failure to pay attention at school, that might be the reason for their failure to get to the top. And President Giamatti once said—I think, in an address to freshmen here—that, "No matter how you slice it, only 10% of you can ever be in the upper 10% of your class. It doesn't mean that the other 90% have had a bad education." And so, the more we can do, it seems to me, to the idea of grade point averages, of class standings—which is another single metric—the more we can do to destroy the idea that excellence comes measured by a single yard stick and that it has a number attached to it, is a blow for human freedom and diversity, I think.

AK We try to do that at the Law School, although I have discovered that, while we're multiplying forms of excellence and modalities of achievement, the students are constantly asking, "But which of these is the really important one?" And there is an irrepressible human — maybe just law student—desire to know which is the yard stick that really matters.

JS Just to comment briefly on that. . . From what we know, if we were to take the applicants for graduate school in political science, we know that our ranking bears no systematic relationship to how well students do as graduate students. There are so many variables that are unaccounted for, including persistence and so on. The fact is, our instruments of ranking don't predict performance. That suggests that you do just as well with a random selection of people who have applied for graduate school, maybe with some criteria for previous achievement. The techniques that we have devised have, as their basic assumption, that we understand in a careful and calculated way, the conditions for success at this activity. And the fact is, all of our instruments are pretty bad and the SAT is particularly bad in many ways at predicting these

things, and the idea then is not to substitute another metric which would probably be just as bad, but to have no metric at all, or at the very least, many metrics.

AK Well, let me invite those of you in the audience who would like to join with me and Professor Scott in the conversation to do so. Anyone have a question they'd like to put?

Q I think that the idea of the self-taught genius has a particular place in the American mythology—people like Thomas Edison who started out working on telegraph machines on the railroad when he was ten and read books on electronics on his nights off, and Abraham Lincoln sort of straining by candlelight to read at night. And I can see where an argument could be made that the SAT would inhibit the discovery of these sort of people because there would be no way to measure that. But I'm thinking maybe I'll play devil's advocate and say that, in fact, the SAT is a good thing because it provides a framework for people to know what they have to do to get to the top, and maybe your verbal score and your math score don't measure your whole aptitude, but if you know what you have to do and you're ambitious enough, then you can study what you need to study and figure that out and do what you need to do to get into Yale. And maybe four of the last six presidents are Yale graduates, not because there's something in the water or something that Yale does to them but because there are these societal structures in place where, if you're ambitious enough and you're the type of person who is going to become President, you're just going to follow the course and you're going to go to Yale. Your thoughts on that.

JS It certainly is true that the structure of the SAT tells you what you need to do. And, in a sense, my complaint in the lecture is that it circles back and then determines the curriculum which then becomes more or less a preparation for the test itself. And then disallows, if you like, by excluding a kind of diverse education that is not geared to the test. And, to the extent that the SAT is a national test, then the drive is to create, essentially, a kind of national curriculum where everyone is preparing for the same test. That's the opposite of the heterogeneity and variety that I'd like to see. But let me actually answer your question in a more radical way. That is, I think one of the astounding things in human history is the creation of schools, especially the elementary school. The idea that you can take—historically anyway, it's less so in progressive schools—the idea that you can take children of 6, 7, 8, 9, 10 years old and put them behind a desk at which they do 45 minutes of reading, 45 minutes of math, this kind of regimentation on the sort of factory system model—because that's where it comes from—is an astounding achievement of discipline and you can see how tenuous it is when recess comes and human energy bursts out the door. It's an accomplishment in a sense of institutionalization of a kind that replicates, in a sense, the factory system of having to appear at 8:00, the time discipline, the machine discipline of the factory system. It seems to me that that form of education, all by itself, that doesn't take advantage of the natural rhythms, enthusiasms and passions of students, is already a step in the wrong direction. My own field work, incidentally, is in Malaysia. I work among peasants in Malaysia. And Malaysia has not heard of progressive education. The students in 95 degree humidity and 95 degree temperature sit in school for, more or less, 6 hours and they don't move and they learn things by rote. All of the children with character have left the school and are out playing with the water buffaloes in the fields, and I had this vision that I would actually like to take most of these students and form a school with them because I have the feeling that these are, basically, the students with character who couldn't take this kind of rote discipline. Let me go back to this question of why a few of the more recent presidents were

Yale graduates. It seems to me that there are two things that a Yale education confers, that have very little to do with the actual education that you or I provide in the classroom. One of them is the knowledge that you've arrived at an elite institution that gives you a kind of self confidence to try things you might not otherwise try. And having taught eight years at the University of Wisconsin where I had students who were just as bright as the students here. . . There's a Yale at the University of Wisconsin as well, if you like, in terms of the quality of its undergraduates, but they tend not to have the self confidence to try daring, big things because the institution and the way in which they go there doesn't provide that kind of self assurance. The second thing that a Yale education gives you is a lifetime network of influential friends and friends who know influential friends and so on. Now, these are things that have nothing to do, necessarily, with what goes on in the classroom. But it certainly helps explain why a high percentage of these people end up as presidents rather than people from Arizona State or from Michigan State.

Q I almost feel politically incorrect in saying that I don't think that the SATs are all that bad. In fact, your comment about the fact that the students always want to know the metric, they always want to understand what it is they should be aiming for, I think that's part of human nature. What I find especially fascinating is—and this is a democracy discussion—is the way that the SATs open universities and higher education to a truly democratic process. And the fact is that the discussion and our reading show that there were those who thought, oh, no—50% of the people who were in school then, in the '40s, really didn't even belong there. And instead of that happening and the SATs weeding out, they opened the door. I think that it's appropriate and that it is one more way of understanding your pathway and people do need that direction because not everybody has that Yale self confidence. But perhaps by maintaining a more current character of the questions that are on those exams, by not allowing them to stagnate in old curriculums, by surprising people on a regular basis—and I'm not sure how well they do that. I do know that, as part of the industry related to testing, there are people constantly coming up with new questions. How good those questions are, I'm not a person who can judge and I don't know who is doing that judging. But it would seem to me that keeping an eye on the kind of devices that are being used for testing makes a lot more sense than abolishing testing altogether. And I wonder—while I agree with you that a certain amount more diversity at Yale might be interesting—at the same time, I look at the last 40 years at Yale—since '69, and you can go back to the '50s when they got away from just gentleman students and then they got to women and minorities, and now this new push for internationalism—doesn't that, in your mind, fulfill a lot of the good intentions that you're discussing without making the actual testing obsolete?

JS It's a long question that you ask and I want to make sure— if I've forgotten part of it, I'm perfectly happy to be called back to order. I want to agree with you in the point that you're making about the way in which the SAT opened up a process that was opaque, closed, limited to people of certain classes and backgrounds, and made it a level playing field. The great democratic appeal of the SAT is that it is a level playing field, everybody knows what the deal is, what they have to learn, the nature of the tests, and so on. And in a sense, a large point of my talk is the tremendous appeal of such open, impersonal, mechanical standards to a democracy which allows then the people who are distributing these life chances, in an important way, to say, "We are not playing favorites, we are not using our discretion, there is no politics here, this is completely fair, impartial and impersonal." It's the great appeal of these techniques in all democracies. It's why the baccalaureate exam is the same from one end of France to the other.

So it is preferable to the system that it replaced. It is open and impartial. I would argue, however, that it achieves this effect by becoming a single metric. Now, if we were going to distribute places in the Yale freshman class by scores—raw scores on the SAT—we would probably double the proportion of Asian Americans in the freshman class at Yale. There's a kind of negative quota, if you like, on just the question of scores. So I'm not in favor of a university that simply distributes places by scores, by this calculation. But what I would insist on is that the criteria that they do use, they talk openly and transparently about so that it can be the object of public scrutiny, debate, discussion and so on because these things have to evolve as the purposes of education and the social structure of education changes.

Q Does any college actually use SAT scores exclusively for entry? I can't imagine that.

JS Pretty much, yes, in two senses. The large Midwestern state universities have a level of SAT score below which they don't look at your application at all, period. And they also have a high level of SAT scores in which you're in automatically, no matter what. And at the margin, they use their scarce resources to look at people they might move up or down. And they do this for bureaucratic ease because it allows them to make these decisions more easily. So, in a sense, you could say that, perhaps most of the people who are not there are not there because of SAT scores. A good many of the people who are there are there exclusively because of SAT scores. And it's at the margin that this closer inspection of an application takes place. The problem with this, of course, is that these SAT scores are very bad guides for performance in the university.

AK I would just add as a footnote to that that the contemporary assault on affirmative action in our courts is pushing schools toward an even heavier reliance on numerical indicators of achievement, like the SAT score. The SAT was invented, in good part, to get away from the vices of an old system in which favorites were certainly being played in a very deliberate and self-conscious way. And the enemies of affirmative action characterized that as playing favorites, of course in the reverse direction, but playing favorites as well, and they insist on a return to that impersonal, nonpartisan, unprejudiced, purely quantitative approach which looks neither to the left nor to the right, takes family connections into account not at all, and skin color not into account, but focuses just on this one number which cannot lie and cannot be biased. That, I think, actually, is a factor as well as just the problems of sheer size and scale. There's a big push in that direction.

JS You may actually have noticed as well that, in the context in which affirmative action was disallowed in some states, the system that they moved toward also was impersonal and mechanical; that is to say, 7% or 4% from every high school graduating class. So they invented another system in order to keep the diversity in most cases, but also a mechanical impartial system in which they weren't making individual decisions. There are, of course, a lot of schools in this country that don't use SATs at all, that don't require them, don't look at them—Bowdoin, Mount Holyoke—these tend to be small, liberal arts places that have decided that this doesn't give them anything like the information that they would like to have. It would be interesting to know what their experience has been. I don't think anyone has studied it.

Q From your lecture, I got the impression that you were basically unhappy about the idea (you did not directly criticize institutionalizing of scores and admissions)... what you were

unhappy about was that, with time, that tests basically corrupted the people who they were intended to test, in that they make these people adapt, especially for those tests, thereby corrupting the entire purpose. Now, I'm thinking, could there not be a more technical solution to that; for instance, I'm reminded of a "Star Trek" when the enemy ships adapted their shields to the phasers that were being fired at them. So the solution was to cycle the frequencies to catch them unawares. So could there not be some kind of test which did not include very arcane words or concepts that you would have to especially prepare for, but was simpler and, at the same time, more inclusive or broad, that was also institutionalized by some kind of association of colleges, or by the government, instead of a private institution like the SAT—well, the ETS? Could there not be some kind of solution like that?

JS Let me return the question to you. The solution that you're looking for would also be a kind of unitary, single metric, or not?

Q More or less, although I'm thinking of doing away with this kind of very narrow and formalized . . . . Because you have all these lists of words that you know will appear in the SAT and then all the other words that will not. And I'm thinking that this is something to do away with.

JS Well, one of the things that I gather is used now by . . . It wouldn't satisfy, I don't think, what you have in mind . . . One of the things that's used by the colleges that don't require the SAT is something that is sometimes referred to as a portfolio; that is, a prospective student presents a dossier of the things that he has accomplished and, obviously, representing himself in a good light. But it allows them to speak to the diversity of the things that they bring to an educational experience. I am not against exams that are direct, substantive exams of matter that's taught in most high schools, providing they take their place as a small contribution to this overall dossier. It seems to me that the worst possible thing that could happen has begun to happen with the SAT in terms of the retrofitting of whole school systems in which they are just drilling for the exam.

Q That's the impression that I got, so I guess I didn't misunderstand you. And what do you think about the other thing that I said—a more broad type of exam that does not test any specific area of knowledge?

JS Well, of course, the original IQ test was meant to be not about any subject matter at all but about abstract capacities for reasoning and its idea was to create, at the limit, a kind of international metric by which to measure basic intellectual capacity, without any content at all . . . . Now, most people don't believe that exists in any sense these days. But people sure as hell believed in it for a long time. And so that was not only a metric devoid of content, but it was a metric that pretended to be potentially universal. So it would represent that kind of test. Its abstraction would represent to me the worst of all possible worlds.

AK Although, if a test of that kind could be designed, it might not have the colonizing consequences that you spoke about on Tuesday. If there were a pure intelligence test, how could it be reverse engineered and turned into a preparatory curriculum so that you would work to be smart? Of course, you can work to master the list of words that will appear, predictably, on the

test. If it's subject matter specific, you can study the area in question. But if it's just a smartness test, pure and simple, then it's not reverse engineerable.

JS It's true and, in fact, the sort of original idea of the SAT was that—and the Intelligence test—is that they were uncoachable, that there was nothing you could do to prepare for it. You just sort of walked in there and, like taking your blood pressure, it was your blood pressure. And that was that. The fact is, there is no such test. That was a figment of the tester's imagination and it was this idea of a universal metric.

AK This raises another question which I'd just like to put quickly on the table—we talked about this yesterday in the session with the Teaching Assistants. It's not abstract, quantitative tests and standards that have the colonizing effect you describe, but really, any standard of behavior—even a very rich and complex qualitative one. I think of myself sometimes, as the parent of young children, as being in the business of colonizing their life worlds in a very purposeful and deliberate way every day, day in and day out. And I do it with a sense of profound responsibility. I want to get it right. But I am a colonizer for sure. There are rewards and punishments for good behavior and bad behavior, and in the most general terms, I'm inclined to say, there's nothing wrong with that, but you'd better do the best you can to get it right, to colonize in the right direction.

JS This is what I call Pygmalion complex that all parents have and it seems to me that sooner or later—usually sooner rather than later—they realize that they are presented with intractable human material that has a will of its own and a constitution of its own and certain predilections, and they very quickly—if they want to succeed at all—realize the sort of limits of the way in which they can develop the capacities that are already there that they recognize.

AK Yes, I have accepted the fact that not just the best but the only strategy for me is one of adaptive colonization.

Q I wanted to try to draw out some of the ideas you've already expressed today. It seems to me that you acknowledge—perhaps sadly—that some kind of testing is inevitable. And it is also an inescapable fact that whenever you have testing, where the results at least seem to matter, that that's inevitably going to colonize behavior. I was fortunate, I guess, to grow up in an era when it was thought, however wrongly, that you could not prepare for the SATs. So that was not a feature of my own youth. But I would think that, however admirable the SAT might be in democratizing America, that its effect on the curriculum must be pretty deadly because it's one thing to go through a book for a couple of days to prepare for the SAT, but to really, deliberately prepare for it over a long period of time, I would think would be just a truly deadly affair that would really turn people off, rightly, to the whole idea of education. So it would seem to me—just to ask you this question first—that part of the trick of adapting ourselves to the fact that testing is inevitable and that colonization of behavior resulting from that is inevitable, is to recognize that people are going to teach to the test, whatever the test is, and therefore, have a test that requires teaching that we really want to have done in the classroom, or wherever teaching is. That is, if people are going to teach to the test, what they ought to teach are things that we want students to learn such as history and English and mathematics and physics, and whatever else it

is that we want people to learn. So I think that if you draw this out from that, maybe you then are arguing for some sort of regents type exam. Could you respond to that?

JS Sure, that's a good question. And the first part of the question is essentially asking me whether there are better tests and worse tests, and the answer is, of course, yes. And of course, if one is going to have a test, one ought to have a better test rather than a worse test. There are two things that are important here, I think. As a bureaucratic, administrative matter, testing has generally tended to head for multiple choice questions that can be answered with a number two pencil and machine graded. And that's the sort of law of large numbers, bureaucratic administration and so on. That means, for example, if you want people to learn American history, you can ask them whether the most important consequence of the American Revolution was a, b, c, d, but you don't have much latitude to ask them to tell you what the consequences of the American Revolution were for this or that in a discursive way that allows them to develop it with any originality. They can pick out the preferred pedagogical idea of the consequences, and then, textbooks, of course, will be written to reflect that and to reproduce it. So there's an inevitable drift of the technology of these tests into certain forms of physics, toward the things that can be answered definitively. I've actually seen some interesting work on questions that don't lend themselves to this kind of formulation.

Q In the fierce competition for Law School admissions, legal scholar Duncan Kennedy has suggested a kind of modified lottery for entrance. You meet some minimum cut-off and we could determine that in any number of ways—in a portfolio or in a single rubric system—and then, basically, lottery-ing out the slots. And I was thinking—generalizing this idea to a whole range of, as you said, social goods in which is a 1350 that different from a 1400 compared to the individual student, compared to the legitimacy of grants, and for public offices, for any number of things. I was wondering what you thought about that. And what value it undermines. I think that if you put this to students, that you're going to be lotteried out spaces, they'd almost rather lose on a rubric, which they even admit to be stupid, than to be lotteried into it.

JS Right. The trade union consciousness would like to know what the norms are for achievement and wants to have, in a sense, the ground rules and everything . . . That there's no chance. That is to say, it is a definitive metric that yields an unambiguous result. Your question is an important one. If we know that, within this range of scores and backgrounds and achievements and grade point average and so on, that all the instruments we have can't tell us how someone is going to do, then it is completely rational, as a sort of mathematical, logical proposition, to distribute these posts on the basis of a lottery, of random drawing. But you see how politically charged that would be. It seems to me that, at the level of rational argument, one would be hard pressed to make an argument against it. On the other hand, politically, it seems to me it's extremely explosive. The book I wrote called *Seeing Like a State*, from which at least the germ of this argument comes, is what I think of as a quasi-anarchist book about understanding mutuality without hierarchy, and one of the arguments that anarchists make is that, in small towns where everyone knows one another and among adults who have their wits about them, it wouldn't be a bad thing to distribute leadership by lot, at random. And it would have the effect of everybody knowing that their neighbor could be their leader, that there's no way in which these leadership posts can be monopolized and that it's chosen by lot. So under

some circumstances, I think you can make an interesting political case for random choice of certain functions.

AK I think it's not just a political difficulty, though, that stands in the way of adopting the random choice machine as a way of settling these things. Here is an analogy from the law: plaintiff sues defendant. If a plaintiff and defendant both persevere long enough and arrive at the trial stage, that means that each of them must think they've got a pretty good chance of winning. The lopsided cases, lopsided either way, tend to get screened out long before that through settlement or otherwise. So the cases that come eventually to trial are the ones that are poised on the knife edge, that could go, just with a little tip this way or a little tip that way. So why don't, in our courtrooms, we have a big wheel that has P on one side and D on the other, and we spin it around and where it stops, it stops. We wouldn't do that, not just because it would be politically unacceptable, but the closer the case, the more powerfully we feel a responsibility to somehow find a discriminating rationale that will explain, not just to ourselves, but to the disappointed party, the one who isn't admitted, the one who loses the law suit, why it went that way. But, of course, the closer the competition, the more strained the justification becomes.

JS I think that's a splendid system.

Q Actually, your lecture was highly trenchant in many ways because this is my first year. I came to the United States and I am a graduate student. I've never seen an SAT and I didn't take one. I'm no expert on these examinations. But actually, I went to undergraduate in English, but I have never studied in English before that. And I believe that people can do well if they are allowed to go to university, even without examining SAT or aptitude and I support that idea. But I would like to know how the SAT could affect supposedly international students who are coming to the United States. I think there are a lot of students who are studying in America, and actually, I heard one of them talking about SAT and these other examinations. They told me it's more of culture. It's more of expressing . . . Actually, I took a GRE. The GRE was more of expressing the houses in America, which I had never seen.

JS There are two things here. One of them is, of course, any test. There is no such thing as a culture free test. And the efforts of the SAT to make its tests increasingly culture free is interesting and strained and unsuccessful. Not that it's not an effort that they should make. But the larger thing that your question touches on is the culture of test taking itself, which is a sort of modern creation, certainly not in existence until the late 19<sup>th</sup> century in the west, except for the Mandarin exams in which you actually had to write creditable Confucian poetry and so on, to do the activities that a member of the scholar gentry would do. But the idea of the sort of pencil and paper exams that are the basis for professional exams, university exams, graduate school exams, for the distribution of a knowledge elite in modern society, is an extraordinarily new culture and it's amazing the way in which it has spread internationally and it was not a simple thing. So you could say, in a sense, that it's not just that exams that infect a curriculum, but you could say, in many societies, that it is the need for exams that conjures up the school system itself in order to create this hierarchy of education and training that provides the sort of basis for an exam system that is this positive way in which elites are selected.

Q In your discussion of why we made this move to making qualitative judgments on the basis of quantitative measures, you talked about the apparent virtues of quantitative measures—namely the attraction of impersonal, fair, universal norms. But often, I think, attraction has a little root of fear in it. An attraction to a person might betray a sort of loneliness, or something like that. And I wonder, we're seeing, with these quantitative calculative measures, an obviating of the need for judgment. And you said—I think, rightly—that it was an obfuscating of the need for judgment. But it is an attempt to remove the need for judgment. And so, can we see this enlightenment move to quantitative measures as an anxiety of judgment, an anxiety of choice? And let me just make a few connections from that basic thought—that the quantitative methods of measuring qualitative things evolved at the same moment when there became a particular anxiety about justifying moral judgment, which was in the Enlightenment. There was this era of “we've got to justify our moral judgments” and a huge epistemological catastrophe, and that was when you started getting moral systems that were quantitatively grounded, like utilitarianism. And you got this general crisis of judgment.

JS Yes, the short answer. The slightly longer answer is: It seems to me that Bentham and the utilitarians and effort to create a calculus of pain and pleasure by which sort of moral decisions could be made is the same instinct to avoid judgment. You want to call it fear of judgment. To have a metric that is universal, that will yield definitive choices that don't have to be defended on the basis of 2<sup>nd</sup> order, 3<sup>rd</sup> order values that are then smuggled into the analysis. So in that sense, it is the desire, in any case, to avoid having to take responsibility for a set of judgments which are not unambiguous. And I suppose if one were to create a calculus of pain and pleasure by which to make these moral choices and choices of social policy, the cost benefit analysis is exactly such a system, which is where I was basically headed and never got to. Then, all of the judgments that you point to as us being afraid of making, all of those judgments are then smuggled into the calculating procedures and the categories of calculation in a way that doesn't allow them to be brought to the light of day easily and defended. I'll give you one example that we talked about yesterday. In cost benefit analysis, there is this question of how is one to judge, let's say, a project of a dam or irrigation that will irrigate new acres, provide income. What if the effects of this income are not felt for five years or six years or seven years or eight years? And so there is a conventional economic rate of discount by which future benefits are discounted. It's a sort of conventional calculation. It's more or less the rate of interest. And it means that in any development project, benefits that are more than 10-15 years away, are discounted so heavily that they make no impact on the analysis as well. Now, this is a choice to value present benefits over future benefits. It's about the value of the present, the value of the future, that is smuggled into the economic analysis via the discount rate, and which never then is discussed as an important moral choice. What could be more important about our moral life than the value of future as opposed to present benefits of different kinds? And negative benefits as well.

Q It sounds like you are sympathetic to the position I am putting forth, that there is an anxiety of choice reflected in our use of quantitative measures. And I wonder, then, if your project, which is to find an alternative to the use of inaccurate and obfuscatory quantitative measures, if your project is to be successful, there needs to be a philosophical reconstruction of judgment, of the nature of wise choice. And that would be an un-construction, that would be a destruction of the Enlightenment—a certain aspect of the Enlightenment. . .

JS I think I can have my argument without taking on the whole Enlightenment as a project because I think the critique that you just made of quantification of that kind has a sort of solid basis in the Enlightenment itself. And so it's a sort of patch, if you like, of the Cartesian, Bacon Enlightenment. I'm not an expert on the critique of the Enlightenment and its various facets. But my impression is that Descartes and Bacon are responsible for a particular stream of Enlightenment thought in which, finally, technical calculation would resolve all moral dilemmas and judgment and would be unambiguous, once we understood scientific laws and social laws. And so it's that part of the Enlightenment, I suppose, of which this is a critique, I suppose. So I take your point that that would undo that part of the Enlightenment in any case.

Q Yes, and it would be philosophically undoing it by reconstructing a qualitative idea of wise choice.

JS Now, since I'm not a philosopher, nor do I propose to become one, I propose to leave the critique of the Enlightenment part of this project to more able hands than my own.

AK It is interesting, I think . . . I don't think I'm too far off in believing this to be the case . . . that the anxiety of judgment or of bad judgment is, itself, related to . . . maybe it's a direct consequence of the process of democratization which, itself, is one aspect of what we very broadly and comprehensively refer to as the Enlightenment. Once upon a time, in pre-Enlightenment days, there were those who were entitled to their judgment, so to speak, just on account of being in the statuses they were in, and others who were bound to defer. And it never occurred to anyone to ask for a warrant or a justification or a reason or a ground. But now, we say, "I'm just as good as you are. Give me a justification, give me an argument," and it is the disturbing uncertainty that comes with having to argue your way into respect, obedience, whatever it is that you're claiming for yourself, that I think is part of the source of this. So if the quantification of quality is a response to the anxiety of judgment, and the anxiety of judgment is, itself, a consequence of democratization, then quantification is indirectly a response to democratization and the anxieties that it's produced.

JS I think that's right. And it also explains why, when we think of those figures, culturally, who have the widest discretion and exercise the greatest scope of judgment, we think in traditional societies of shamans who are receiving messages from the spirits. We think of charismatic figures who are touched in some way by a kind of magic. And this survives, it seems to me—our fear of this discretion—it survives—at least in the robes of the English judge, the wigs and the robes. This is a shaman's costume meant to impress us that this is no ordinary mortal here but someone who has a right to exercise this discretion.

AK This is Shaman, Esq.

Q Very briefly, Professor . . . Your lecture was very interesting but the issue of cost benefit analysis . . . You slough it off as something—at least in my opinion—that doesn't work. But municipal governments use CBA all the time. I can think of two examples right now that most governments concern themselves with—the issue of privatization of a service, or have the town perform the service. I think of trash collections, things like that. Energy analysis—what kind of

mechanical system in a building is going to give you a payback over what number of years? Those are cost benefit analyses that work very well. I've been involved in both of those and found that particular analysis to be extremely helpful in making decisions. So it's my own opinion that, using Robert MacNamara's phony chart, and there's another one on the Korean War—how much it takes to kill a North Korean soldier—how much money it takes. I think those are far out. I think most cost benefit analyses in municipal government tend to work and I think there's plenty of examples of that. Thank you.

JS Well, where to begin on cost benefit analysis. I didn't speak about cost benefit analysis. I think, at its most rudimentary and simple levels, how much is it going to cost us to compact trash and to truck it to a certain place, as opposed to incineration and its costs—this is information that any rational public official, or public, would want to know before they made their decision. I have two problems with cost benefit analysis. One of them is that—to take the trash example—at some level, if we're judging compacting as opposed to incineration, the question then becomes if the incineration will create certain bad air quality. What are the possible consequences of this, and how do we measure that against the filling of a landfill and its consequences. Generally, there's an effort then to quantify the bad health effects of the air, the bad health effects of compacting in order to put them into a money figure essentially, whether it's time lost at work or whatever. So there is this effort in which everything has to be commensurable and reduced to the same units of analysis so that we can say Project A is preferable to Project B. In order to do that, we have to actually cover our tracks pretty effectively and we miss many opportunities for an important open public debate. So, for example—we discussed this briefly yesterday—let's imagine that you're building a dam and there are people whose ancestral graves are going to be at the bottom of the reservoir for this dam. One of the techniques of cost benefit analysis is to ask people how much their land is worth to them—in this case, how much their cemetery is worth to them. They will say, "Well, it's priceless," or "We can't live without visiting the graves of our ancestors." Well, this is a calculus that can't fit into a cost benefit analysis because they're saying that this land is of infinite value, that you can't put a number on it. And so their complaints are discounted altogether from this because they don't compute. And so, I guess, we may—to take the hypothetical case that I raised—we may want to have this reservoir and dam anyway. But it seems to me, under those circumstances, we shouldn't pretend that we can value their cemetery and give it a money figure. We simply have to make an open and public argument that this dam is too important to be stopped by someone's ancestral graves and make it as a public case, as a set of values, and not as just a calculation, not just running the numbers.

AK I don't want to sound like a quantifier, but I would say on the metric of pleasure and enlightenment, your lecture and this conversation ranked very, very high. Thank you Jim.