On The Campus: 
Campus Diversity and Moral Values in Public and Private Life*

Supplemental Information

November 19th Campus Conversation, the first in a series of Carnegie Mellon Deliberative Polls®

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Preface

What is a Deliberative Poll?

Developed and tested by Professor James Fishkin at Stanford University’s Center for Deliberative Democracy, a Deliberative Poll gathers a representative sample of the community to discuss and respond to questions on pressing local, regional or national issues. While traditional public opinion polls solicit intuitive responses from people who are not informed on the topic, a Deliberative Poll represents “what the electorate would think if, hypothetically, it could be immersed in an intensive deliberation process” (James Fishkin, Democracy and Deliberation). A scientific random sample of the population will receive background information on the issues. The sampled individuals then gather in small groups to discuss and deliberate the topic amongst themselves and with experts and then respond to a scientific poll. The result of such a process reflects what the community as a whole would think about a particular issue or policy if that community had time to become informed about the issue. What is emerging from deliberative polling is nothing less than the development of a new democratic decision-making process capable of articulating the informed voice of the people and potentially raising that voice to the level of “consulting power” as a consequence of those deliberations.¹

By holding deliberative polls at Carnegie Mellon, we hope to learn what students think about key issues on campus after they’ve been able to read about and discuss these issues with each other.

On the Campus...

The poll that you will be participating in on November 19th will deal with campus life and values at Carnegie Mellon. It will focus on two broad questions; the goal is to get you to question, expand on, and articulate your beliefs about Carnegie Mellon’s campus and the role, if any, that the University plays in fostering moral values in private and public life. Additionally, we will ask you to give us your opinion on two specific and contemporary issues: the current landscape of diversity at Carnegie Mellon and the legal and moral dimensions of file-sharing.

¹ From http://caae.phil.cmu.edu/caae/dp/about/.
What follows is some background information that we’d like you to read prior to the poll on the 19th. You will also receive an Appendix document that will include many of the documents referenced below.

### 1. The Diversity of the Campus Community

**Background**

American colleges (and later universities), following the English model of the 17th and 18th centuries, have been enclosed on campuses that set them apart from the surrounding area, giving them distinctiveness, space, autonomy, and some measure of protection and deference. Within green areas, with planned walkways, quads, residence halls, libraries, churches, shops, and buildings for instruction and learning, the leading universities have created opportunities for self-governance, extra-curricular life, and human development, in the expectation that these protected campus settings will produce wide benefits for society.

Over the last century, and especially since 1945, the undergraduate student population on that campus has become increasingly diverse. This diversity is expressed in ethnicity, gender, religion, color, parental wealth, region or nation of origin, and citizenship.

Carnegie Mellon ranks as one of the most international campuses in the United States. Ours students come from 50 nations including the United States. Twelve percent of our undergraduates (a little over 600 students) come from abroad; the largest contingents are from Korea and India, followed by Singapore, Malaysia, Thailand, Canada, Hong Kong, the United Kingdom, Taiwan, and Turkey.

The presence of students from so many different backgrounds and cultures presents a challenge to the integration of campus social life and a challenge to ease of communication. At the same time, it opens up great opportunities for developing the skills, knowledge and understanding that are needed for 21st century citizenship at home and for career opportunities and service abroad.

There are important cultural and societal reasons to encourage diversity. For instance, we are richer as a democratic nation if we experience and understand members of our society who come from diverse cultural, ethnic and socio-economic backgrounds. Our campus life, too, would be richer if we could experience the lives and experiences of more than just those in our circle.
of friends and classmates. There are even intellectual reasons to encourage diversity. John Stuart Mill famously wrote: “...the only way in which a human being can make some approach to knowing the whole of a subject, is by hearing what can be said about it by persons of every variety of opinion…” —J. S. Mill, On Liberty

Carnegie Mellon has articulated many of these reasons in a document entitled “The Benefits of Diversity for Education at Carnegie Mellon.”2 State the authors,

…diversity broadens the educational experiences of all our students, furthers our competitive strengths, advances our university’s inclusiveness and positions us for influence in a global society. We believe that students who graduate from a university with a diverse population are better prepared for the social, cultural and technical demands of the workplace, and are better able to participate as citizens of local, national and international communities.

Carnegie Mellon takes great pride in its ability to train people for careers, and it views the diversity of the student body as an important component of this process. “Only a diverse campus community can offer our students a model of the workplaces and polities in which we expect them to exercise leadership in the years after graduation.”

Diversity is also important beyond just the cultural and ethnic makeup of the campus community:

Valuing diversity… recognizes, appreciates and facilitates the processes involved in the exploration and discovery of the unfamiliar, allowing for a variety of ways to think about and communicate ideas. Furthermore, valuing diversity makes for stronger affiliations within our community and enhances our ability to be effective in an increasingly complex and pluralistic society.

**Increasing Diversity at Carnegie Mellon**

The first women entered what is now Carnegie Mellon in 1908, with a class of 70 women, 43 of whom graduated. Of the graduates in 1928, 27% were women, but they were not encouraged to enter fields outside those set aside for women at that time. For example, women were not encouraged to pursue engineering. Women did not

2. See Appendix Item A for the full text document.
enroll in the College of Engineering until 1943. Since that time, women have come to constitute about 40% of the undergraduate student body, and have been represented in almost every field of study.

A testament to the 'traditional role' that women prepared for is found inscribed on the inside of the rotunda of Margaret Morrison Carnegie Hall:

"To Make and Inspire the Home – To Lessen Suffering and Increase Happiness – To Aid Mankind in Its Upward Struggles – To Ennoble and Adorn Life's Work However Humble – These are Woman's High Prerogatives"

However, one discipline in which women continued to be underrepresented was computer science. In 1995, only 7-8% of entering undergraduates of the computer science program were women. In order to approach this problem from its foundations, Carnegie Mellon created ‘on-campus summer workshops for high school teachers of Advanced Placement Computer Science’ which included “information and advice on recruiting and retaining women in computer science.” Additionally, the weight given in the admissions process to prior experience in programming was
reduced. The result of these and other initiatives was that by 1999, 38% of the entering undergraduate class of computer science majors was made up of women. Today, a little more than one-third of undergraduate Computer Science majors are women.\(^3\)

Carnegie Mellon has also taken the initiative to promote ethnic and cultural diversity. An internal report highlights the steps that were taken:

In the 1930s we removed quotas against the admission of Jewish students, a generation ahead of our peer institutions. In the mid-1960s we joined other research universities in further diversifying our student population through an affirmative action program for underrepresented minorities, mainly African Americans. In the mid-1970s Carnegie Mellon developed and implemented a federally approved affirmative action plan for the employment of women and minorities. In the 1980s we began an effort to increase the recruitment of Asian, Asian American, Hispanic and African American faculty. In the 1990s we increased our international student population, instituted domestic partner benefits and, at the end of the same decade, began to increase significantly the number of women admitted in many fields of engineering and the sciences. This broadening of our population has itself become a catalyst for further diversity efforts.\(^4\)

An example of this initiative at Carnegie Mellon was the creation of The Carnegie Mellon Action Project in 1968. This project was focused on recruiting African American, Hispanic, and Native American students and providing them “with subsequent academic and supportive services to assure their progress toward graduation.” In the spring of 2005, this mission was expanded to include students of all ethnicities “without losing sight of the university’s commitment to diversity,”\(^5\) and is now called The Carnegie Mellon Advising Resource Center.

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5. See [http://www.cmu.edu/cmarc/index.html](http://www.cmu.edu/cmarc/index.html) and [http://www.cmu.edu/cmarc/background.html](http://www.cmu.edu/cmarc/background.html) for more information.
Some at Carnegie Mellon view the campus culture as revolving around three broad goals: problem solving, innovation, and collaboration. It is believed that creating a diverse campus community in a rich sense does just as much as—if not more than—the classroom in the promotion of these values. As such, Carnegie Mellon has made an effort to attract the brightest individuals from around the world (often articulated as ‘world talent’).

"I believe that one of the important reasons that I came to the United States to study was to broaden my experience and learn diverse perspectives and achieve some tolerance. This is wisdom that is more important that mere book knowledge. But when I see this clustering phenomenon, I feel that students are loosing the precious opportunity to take advantage of being in the United States. Additionally, because of this, American students are loosing the potential to take advantage of all the benefits of interacting with students from other cultures. While I believe most people are aware of the fact that they are missing the chance to take advantage of the benefits of this interaction, they overlook this because they believe this is a personal loss. However, the implications of this missed opportunity are broader than the individual, and can affect the community as a whole." —Carnegie Mellon graduate student

However, many students have suggested that while they see diversity being expressed in the student body, diversity does not richly manifest itself through interaction. For example, students may ‘cluster;’ that is, they may seek to interact solely with members of their same ethnicity, culture, or background. From one direction it has been argued that this is the case because these individuals have no desire to expand their social network to include members of different ethnicities, cultures, or backgrounds. From the other direction, it has been argued that outside individuals make no attempt at interacting with members of these groups. They may have initially formed because it was thought there was no desire on the part of others to interact with them. These groups may have also felt that others expressed hostility toward them when they made attempts to break down these boundaries.

6. Note that ‘background’ here is intentionally vague. For instance, one might argue that Greek organizations are facilitators of clustering. In this sense, it is often the case that the desire to join such an organization is presupposed by a sense of camaraderie or ‘common background’ with the current members.
Because of this, many students feel that one of the motivating principles behind the University’s desire to foster diversity at Carnegie Mellon (that is, in supporting interaction among diverse groups of people) is not taking place successfully. However, clustering can serve a valuable purpose. Often, these groups are formed for much needed support and understanding that is otherwise unavailable or perceived to be unavailable. In this sense, this clustering is not entirely negative or without value.

The Kiltie Band (*Thistle*, 1990)
One University official said this about diversity on campus:

Try as it might, the University cannot teach/mandate diversity, diversity must be experienced. At the end of the day, diversity has to be experienced at the very personal level. Perhaps we can facilitate opportunities, but those opportunities cannot be [created] by any one individual.

Please keep in mind how you feel both about the diversity that Carnegie Mellon seeks to foster and the means by which it seeks to create this diversity as you answer the following questions.

**Questions**

Think about certain course offerings, campus events, social interactions, residence hall programs, classroom interactions, sports, and off-campus activities.

Carnegie Mellon Admissions believes that it brings ‘world talent’ to our campus.

Do you perceive the students around you as ‘world talent’?

What prevents interaction among diverse groups on campus?

What facilitates interaction among diverse groups on campus?

Individuals choose to cluster for multiple reasons.

Why do you believe that students choose to interact with others that are similar to themselves?

Are these reasons justifiable or reasonable?

Should the campus community do something to foster greater interaction among diverse groups?

What are the specific steps that you think would facilitate communication and respect among the different ethnic and social groups on our campus?
Who should be involved in facilitating communication and respect among diverse groups?

Students?

Faculty?

Administration?

What role should these groups play in this process?
2. Campus Moral Values in Private and Public Life

Background

American religious movements that founded the majority of small colleges in this country were very concerned with shaping the moral values of their students. Such concerns were at the core of the founding of Harvard: “...dreading to leave an illiterate Ministry to the Churches, when our present Ministers shall lie in the Dust... it pleased God to stir up the heart of one Mr. Harvard...towards the erecting of a College...” —New England’s First Fruits, 1643

Even in universities like Carnegie Mellon, which were not founded by religious movements, college officials found that they had obligations to parents to look out for the student’s health, safety, and moral well-being. Colleges and universities also came to hold that the ability to distinguish right from wrong, to care about others, and to apply ethical values to decision-making was—along with knowledge and thinking skills— the mark of an educated person.

While universities want their students to be grounded in a set of internalized values that can guide their everyday behavior, they also recognize that their students are diverse in outlook and experience. And they are often unwilling to intrude in areas that seem to be the student’s own responsibility. But in some areas the university does see a need to intervene – as it has done in the case of plagiarism, sexual harassment, underage drinking and illegal drug use. We would like you to consider the moral environment of campus life and the responsibilities that the student and the university may or may not share in this regard.

Questions

Does the university offer enough opportunities for you to develop and affirm a set of strong moral values?

What opportunities have been most helpful? Where do you think the university can offer more support?

Are there areas in which you think the university is too intrusive in the moral behavior of students?
The Moral and Legal Issues of File Sharing Copyrighted Material

In *The Impact of the Internet on Our Moral Lives*, Richard Spinello writes:

The idealistic vision of the Internet as a “celestial jukebox” in which diverse content would be available at the push of a button is overshadowed by an unfortunate reality: the illicit and ubiquitous copying of copyrighted material…. At least one U.S. senator has referred to the Internet as a “haven for thievery.”

As we struggle to understand the impact of the Internet on our moral sensibility and social awareness, one thing seems certain: we have not yet come to terms with the moral and legal status of intangible property. The vast majority of citizens respect tangible property rights; they do not steal cars or help themselves to new clothes at the local Wal-Mart. Yet people who would not go into a record store and walk out with a few CDs of their favorite rock group think it’s perfectly acceptable to download pirated music on the Web, perhaps with the assistance of a peer-to-peer network such as KaZaA.

“What accounts for such a divergence in their moral assessment of these situations?” asks Spinello, and how do we, as a campus, address this problem?

With regard to copyright and the sharing of music and video files, Spinello cites work by Logsdon, Thompson, and Reid who conducted a study of a situation analogous to the illegal downloading of music. They asked college students about their views on ‘the unauthorized copying of computer software,’ and what they found was that college students, as a rule, did not view the practice as inherently unethical. The unauthorized copying of computer software was not considered a terrible thing because

Most individuals reasoned that this activity was inconsequential; they regarded the social consensus as mixed; they perceived the probability of causing harm as low; there was some length of time between the act of copying and any unfavorable consequences; the victims… were distant from

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7. See Appendix Item B.
8. Cavalier 27.
the copier; and the negative consequences, if any, would be confined to a few companies or individuals.\(^9\)

Thus, the researchers concluded that this issue exhibited ‘low moral intensity.’ It is a small step to the conclusion that a survey about the illegal downloading of copyrighted music would yield very similar results.

There are multiple arguments for and against the wrongness of copyright infringement (mostly dealing with the status of ‘digital property’). Arguments used to justify file-sharing of copyrighted material from a moral point of view might take one of the two following formulations:

1. There is no point in trying to regulate the sharing of files in cyberspace because nothing can be done to curb it.

“In this virtual world of digital products that can be duplicated and redistributed at no cost, traditional distribution structures that depend on ownership of content and an exclusive right to distribute seem anachronistic.”\(^{10}\)

2. Enforcement of copyright protection in cyberspace will have a negative impact on creativity and its products.

“Strong intellectual property rights have certain negative consequences for society. They tend to commercialize creativity and concentrate it in the hands of the major entertainment companies such as Disney.”\(^{10}\)

Spinello argues that it is fair to suggest that both of these arguments have a certain merit; however, the use of these arguments as a complete justification of the Internet as a ‘copyright-free zone’ seems far from correct. For one thing, he states, there is a strong utilitarian argument in favor of copyright laws since they encourage the development of new artistic and creative material. “The higher the cost to create something, the more critical the need for incentives such as intellectual property protection. Without such protection it would be impossible for innovators to recover their initial investment.”\(^{12}\) Likewise, “Lack

\(^9\) Ibid.
\(^{10}\) Cavalier 36.
\(^{11}\) Cavalier 37.
\(^{12}\) Ibid.
of copyright protection in cyberspace will have a negative economic impact on sales of these goods in the real world.”

**Who owns the music?**

Some argue that ‘music’ is a product of a rich and common musical culture and is based in small or large part on other sources that are a part of the public commons (as when the Rolling Stones create a version of a blues song and publish it as their own). In this context, Anthony Graybosch says

> I don’t think that there is such a presumptive right on the part of the artist [to claim ownership] because I don’t think there’s such a thing as “The Artist” or “The Creator” to begin with. An aesthetic product is like a river. It’s something that cannot be justifiably withdrawn from common ownership, and so, I won’t grant that an artist has a presumptive right to destroy or withhold an artwork.

However, Graybosch does recognize a need for record companies and artists to be able to make money in order for them to continue producing music.

Marcel Daguerre, on the other hand, believes that the artist does have a right to the way in which a work is distributed, and believes that even if a piece of music owes a debt to the public commons for its building blocks, it still belongs to the artist who created it. In arguing this point, Daguerre appeals to an analogous situation:

> If I were to build a house, I wouldn’t build it from scratch. First off, I don’t have to invent how to build houses. And I don’t have to cut down trees and make lumber, mine copper and form it into water lines, etc. But if I make the effort to combine various elements into a house, the house itself doesn’t belong to the commons of those who “influenced” its construction. The owner of the lumber mill cannot spend the night whenever she likes nor even on some prearranged schedule.

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13. Cavalier 38.
15. APA 78.
According to Daguerre, the problem of ownership can be approached by distinguishing between a ‘type’ and a ‘token’ of the musical property. Someone who purchases a piece of music (a song or an album), purchases a ‘token’ of that work. The ‘type’ in this case is like the master copy, and resides with the record company and/or the artist. And only owners of the ‘type,’ he argues, have the right to distribute ‘tokens.’ “The token owner has no right to make available for distribution additional copies of the work…. So using Napster-like programs to make additional tokens violates the legitimate rights of the holder of the type.”

Something like this type/token distinction lay behind the Court case against Napster.

“Napster, by its conduct, knowingly encourages and assists the infringement of plaintiff’s copyrights.” [The Court] rejected… fair use claims [on the part of Napster], concluding that Napster had an adverse effect on the market for audio CDs, especially among college students. The scale of file sharing enabled by Napster meant that this sharing could not be considered a private affair. While file sharing is certainly not always infringing, by making music on their hard drives accessible to many other individuals over the Internet, Napster users were functioning as distributors of protected material. And although Napster itself was not yet reaping profits from this file-sharing, its users were achieving an economic gain…. The fact that ‘Napster users get for free something they would ordinarily have to buy suggests that they reap economic advantages from Napster use.”

One of the main reasons why the court found Napster liable was that it utilized a central server that indexed all of the songs on all users’ computers. In this way, users would communicate with Napster’s server when sharing files. Thus, in the case of Napster, individual users were spared suit because Napster absorbed all liability.

Today, P2P servers such as KaZaA and i2hub do not utilize a central server, and thus the liability for file-sharing is passed on to the individual user.

16. APA 81. See page 20 for an argument diagram that outlines these claims.
Last spring, the Recording Industry Association of America (RIAA) contacted Carnegie Mellon and said that it planned on issuing up to 40 subpoenas to students who had been illegally sharing files.18 These suits carried fines of up to $15,000 per song; many, however, have been settled for around $750 a song. In the end, 25 Carnegie Mellon students19 were forced to pay fines based on how much copyrighted material had been illegally shared with others. Many of them settled out of court, paying fines as low as $3,750 if they had shared fewer than 2,500 total songs. Moreover, the Tartan ran an article in its October 10, 2005 issue detailing the RIAA’s intention to repeat that process on campus again this semester.

Carnegie Mellon’s stance on file sharing of copyrighted material is clear.

Carnegie Mellon University policies prohibit the distribution of materials owned by anyone other than the person engaged in such distribution (whether officially copyrighted or not) without the permission of the owner. The distribution of copyright protected files without the permission of the copyright holder is illegal.20

Carnegie Mellon also publishes a “Copyright Violation Guide” which outlines an individual’s liability in illegally downloading copyrighted material. The University defines its role in the illegal sharing of copyrighted material as an Internet Service Provider, and

As an ISP, the University is required to and has responded to complaints from copyright holders and organizations representing copyright holders, such as the Recording Industry Association of American (RIAA) and the Motion Picture Association of America (MPAA), regarding computers on campus illegally distributing copyrighted materials. When receiving a “cease and desist order” from these and other organizations with credible evidence of the abuse and sufficient identification of the computers involved, Computing Services investigates the situation, informs the member of the community responsible for the computer(s) at issue of the complaint, and may disable network access for the hardware involved until such time as the issue is

resolved. In some cases, there may be a minimum time of lost access. Most complaints received by the University are associated with peer-to-peer music and video distribution.\(^{21}\)

Clearly, the situation has evolved to the point that, for purely self-interested reasons, one ‘does one’s duty’ so as to ‘avoid probable punishment.’

**The Digital Dilemma and the availability of downloadable music on campus**

Software at the level of programming ‘code’ can either provide people with unlimited access to copyrighted material, or it can severely limit access to that material. Spinello calls this a ‘digital dilemma,’ in the sense that “digital technology can liberate content or enclose it.”\(^{22}\) He argues that “the right approach to code” may be the most helpful way to deal with this problem in an equitable way.

Clearly, code can facilitate the downloading of copyrighted material. Programming and internet protocols allow a student to download an exact copy of the original music file without any loss in data quality. And code used in P2P technology has facilitated file-sharing to a degree that far surpasses the original Napster. At one extreme, ‘code’ hypothetically allows people to download an unlimited amount of copyrighted material. However, from another angle, code could represent a leap in a direction that not even ardent proponents of intellectual property rights would agree with. The technology exists to be able to track every move of a piece of data. In this way, music companies could charge for every copy made and even every time a song is played. At this extreme, the ‘fair use provision’ outlined in the Constitution might be violated, as the technology could eliminate the user’s right to determine how to use the work. Spinello suggests that the compromise between these two extremes lies in the proper application of moral norms:

> Moral Norms must discipline and guide… solutions so they avoid excess and do not trample on consumer rights of fair use…. Unless the constraint of morality begins to exert this kind of influence, the epidemic of unauthorized copying will continue, only to be countered by more Draconian and coercive solutions that lack balance and nuance.\(^{23}\)

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21. Ibid.
22. Cavalier 40.
23. Cavalier 46 (italics added).
One example of a code-based approach to the distribution of music over the internet is Apple’s iTunes Store. Users purchase music at a reasonable price and then can use it on up to three devices (with the option of changing those devices if they wish). Other universities such as Penn State, Cornell, and George Washington have partnered with legal music downloading services like the new Napster to provide free music to their students. Perhaps if digital music were made available without onerous restrictions, costs, or invasions of privacy, students would refrain from downloading illegal copies. This might be a ‘win-win’ situation.

We would like you to consider these issues and the role of the university and the student in dealing with the problem.

Questions

How would you balance privacy rights with a public need to gain access to information on your computer?

Do you believe that the University should have an internal way of dealing with illegal downloads of copyrighted material? (For instance, Campus Police issue internal citations for underage drinking. This means that students are not reported to city police nor do they go to court; instead, they might be assigned community service and/or attend alcohol education classes. Similarly, might it be possible to devise ways of dealing internally with downloading copyrighted material?).

Would you be willing to pay slightly more in tuition for the right to use a service such as Napster or a campus iTunes Store that was provided by Carnegie Mellon?

Would you be willing to pay an extra and optional campus fee for the right to use a service such as Napster or a campus iTunes Store that was provided by Carnegie Mellon?

The Argument

In the late 1990s, two artists affected by file-sharing came down on opposite sides of the issue:

Dr Dre was against file-sharing, and sued Napster.

Chuck D felt file-sharing gave artists more control and defended the service.

The diagram below shows some of the possible arguments that Dre and Chuck could have made for, and against, file-sharing. We’ll start with Dre’s position that file-sharing should not be allowed, and then show how Chuck could respond.
How to Read an Argument Map

Argument maps are diagrams that make it easier to understand arguments, but first you need to learn how to read them. Here’s an argument map describing a conversation between Matt and Nikki about where to get coffee.

Nikki proposes that “We should get coffee at Starbucks” and then gives a reason for her proposal: “We need caffeine.”

Matt agrees with Nikki that “We need caffeine,” but he doesn’t agree that they should get coffee at Starbucks, so he gives a reason against Nikki’s proposal: “We shouldn’t go to Starbucks.” The diagram shows that he disagrees with Nikki because there is an “x” on the line going from Matt’s statement to Nikki’s statement.

Matt has more to say however, and gives two reasons why they shouldn’t go to Starbucks:

* “We should support local businesses.”
* “The coffee at Starbucks isn’t good.”

Nikki doesn’t have anything to say about local businesses, but she disagrees with Matt’s statement about the coffee not being good. She points out that “Starbucks coffee is better than Kiva Han’s coffee.”