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## Comment

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## COMMENT

By ROBERT LUTZ\*

I AGREE with Dean McKay that the legal concerns are really not the problems in a discussion of "The Student as Private Citizen." But in reaffirming the principles mentioned in Dean McKay's article, I wish to set forth what I believe to be the broad guidelines of the legal relationship.

The student should be subject to the laws and rights of the outside community while within the confines of the university campus; the university should not become a sanctuary for serious violators of the law. Within the university community itself, there should be certain privileges and responsibilities which are designed to enable the institution and its members to pursue the stated educational goals.

Thus, due process should be provided in case of violations, and hearings should be conducted by student-faculty or all-student judiciaries. When the act of a student violates both university regulations and the law of the larger community, and the violation is contra to the specific and legitimate interests of both, then both the university and the civil authorities should have the opportunity to render punishment. Where problems arise from the conflict of public-private interests, the institutional autonomy of the private university must be tempered in some way by its public responsibility. Furthermore, the university should not be allowed to exercise arbitrary coercive power which may have grave social effects.

With the topic of "The Student as Private Citizen," we are really concerned with the question of the relationship between the student and the institution. I will discuss how the existing relationship may be improved and changed, rather than how it can be solidified and maintained. I feel that a discussion of constructive action as the more practical and intelligent course for solving the problems which beset the university today is more important than pondering ways of eliminating the "troublemakers" and justifying greater use of police.

The university today must react to problems and social forces that are decidedly different than those of the past. The growth and predominance throughout the nation of large, urban multiversities with large student populations has affected the traditional student-institutional relationship. The student of an urban university is subjected to the hustle and bustle of the city. Whether he likes it or

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not, he is involved with the city, its noises, smells, politics, turmoil, and problems. He is more concerned, involved, politically aware, and, with the increasing number and activities of his fellow students, more politically potent than ever before.

It is generally conceded today that the student is an important citizen of society, and he has been traditionally recognized as an important citizen of the tripartite academic community. Realizing this, the student finds that he does, in fact, have a role to fulfill. He discovers that he does not have to serve in a preparatory or interim societal role, that his existence in the university is not merely a preparation for becoming something else upon graduation. Above all, he discovers that he is a "student," and in the existential sense, that he does "exist."

Although the student is considered a citizen of the academic community, he seems in almost all instances to possess only nominal citizenship. In the preamble to a "Rights and Responsibilities" document, which I recently coauthored with several other students at the University of Southern California, it is stated that it is "the responsibility of the student to understand the spectrum of viewpoints of an issue and equally to be actively involved in the solution of the problem that these issues raise." Further, it is also our "concern and our responsibility to establish the optimal learning environment." With these appropriate student pronouncements of their responsibilities in the learning process, and with those student rights of which educators speak when discussing the "academic community," should also come the opportunity and power to exercise them. This requires authentic, and not nominal, recognition of student rights and responsibilities of citizenship in the academic community. New procedures must be established to effect changes in the relationship in order to provide for *true* citizenship. A rethinking of the traditional university concepts about deliberative processes within the university community must take place. The present situation certainly makes this necessary rethinking and reform difficult, for, as David Riesman has said, "A characteristic social pattern [is one] in which individuals, hesitant to reveal feelings they have scarcely voiced to themselves, are misled about what in effect could be done if they expressed themselves . . . . The students [feel] that there are many decisions out of their conceivable control. . . ." <sup>1</sup> This idea, exaggerated and overgeneralized in the minds of the students, becomes a belief, and more and more a reality; the student is thereby conditioned to accept a role of ineffectiveness, which quickly leads to his lethargy and apathy. It is unfortunate that student leaders, administrators, and faculty members have

<sup>1</sup> D. RIESMAN, TOWARD A DEMOCRATIC CAMPUS: A STUDENT'S MANUAL FOR BETTER HUMAN RELATIONS 8 (1965).

failed to spot and develop those instances in which participation by the students might change subsequent events and campus conditions substantially.

I feel that recent campus disorders at many colleges and universities are the result of the students feeling that they cannot do anything to effect a change or to make the institution recognize their grievances. We have witnessed in the past few months a desperate "crying-out" to be heard. These recent campus disorders have shown that any solution to the conflict must be a political one. Such a solution, to be properly and justly determined, necessitates a genuine dialogue wherein both sides of the controversy can be expressed. One would presume that realistic dialogue is inherent in an academic community, but it is not. There is presently a serious lack of communication on most university campuses which motivates many despondent students to seek other and more volatile forms of expression.

In previous and calmer times, "communication" has taken the form of sit-ins and nonviolent demonstrations, and the university and public usually responded. Now, however, these tactics no longer seem to be effective; they do not adequately convey the students' grievances to the administrators.

There is a deeply felt belief among students that no one hears what they are saying. I call this the "I can't get no satisfaction" syndrome. After attempting, and failing, to work through the "system" by nonviolent protests, the student radical finds it easy to turn to violence. Violence on the university campus today promotes a dialogue—a fearful one perhaps, but at least the students are being heard.

The confrontation tactic will become the norm, rather than the exception, simply because it has been successful. The consultation tactic is becoming outmoded because it is no longer effective. It is possible to deal with unrest and violence legally by expelling students or by bringing in the police, but that can only be a temporary solution and will not eliminate the problems.

Unless access to the "system" is improved, and student participation in the academic community is sought for and accepted, it does not seem likely that the student tactic of confrontation and physical seizure will die. Certain suggestions are therefore appropriate:

- (1) The university must work to provide channels for student dissent so that the nature and source of the dissent can be discovered.

- (2) The university must encourage and, if necessary at times, coerce the student into working within the "system," while

at the same time endeavoring to make the "system" responsive and accessible.

A magnificent teaching opportunity awaits the university administrator, for he can introduce many students to the complexities and difficulties of change by involving him in the formulation and implementation of his own ideas.

Frequently, the goal of the "angry young man" — the student activist — is similar to our own. He too is searching and is concerned about the improvement of himself, our society, and the academic environment of the university. His methods have been different, but only because of the ineffectiveness of those available to him.

Essentially, I am suggesting that the university take the offensive and start its own movement. The administration must initiate the development of new methods of dealing with the student. It must allow students the dignity of recognition and participation in certain aspects of university decisionmaking. It must give students some new powers for formulating certain policies, discussing such policies with them, and inducing the faculty to assist. In other words, the university must shift some of the loci of responsibility to students. They are the individuals in the university community who are moving, developing new ideas, and feeling the outer and inner forces of change at the same time.

I conclude with an appropriate quotation concerning the university's crisis, from Alfred E. Cohn's book, *Minerva's Progress*: "Restlessness can perhaps be observed nowhere better than in universities."<sup>2</sup> "They [the students] are confronted with the need to make decisions which involve consideration of the very theory of their existence."<sup>3</sup>

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<sup>2</sup> A. COHN, *MINERVA'S PROGRESS* 44 (1911).

<sup>3</sup> *Id.* at 43.