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E. G. Williamson and John L. Cowan, The American Student's Freedom of Expression

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BOOK REVIEWS

THE AMERICAN STUDENT'S FREEDOM OF EXPRESSION. By E. G. Williamson and John J. Cowan. Minneapolis: The University of Minnesota Press. 1966. Pp. xi, 193. \$5.50.

This book is concerned with a most significant turn of events on the American college campus—the emergence of students as active participants in the academic community.

In part the new development has come about as the natural result of increased emphasis on student personnel services and student self government since World War II. The trend was accelerated by student activism in the civil rights movement for Negroes during the later 1950's and early 1960's. Recent student demands at many schools, highlighted by the 1964-1965 demonstrations is the so-called "Free Speech Movement" at the University of California, Berkeley, brought the issue into sharp focus.

The courts, too, have encouraged the trend. In the past they were slow to act on suits contending for student rights over against colleges and universities. Generally, where student cases were heard at all, the courts held in favor of the institutions involved. But a turning point was reached in the case of *Dixon v. Alabama State Board of Education* in 1961.¹ There the court undertook to define the legal situation of the student. In so doing it indicated that school rules must be necessary and reasonable.²

Other significant court decisions were handed down in the fall of 1967. Federal courts have required South Carolina State University³ and Howard University⁴ to readmit students who had been suspended or expelled for participating in demonstrations. Another federal court ordered Troy State College in Alabama to readmit a student editor who had been expelled for defying the administration and printing a controversial editorial in the student newspaper.⁵ We may expect more court action of a similar kind.

The new emphasis on student rights reaches its culmination in the

1. *Dixon v. Alabama State Board of Education*, 294 F.2d 150 (5th Cir.), cert. denied, 368 U.S. 930 (1961).

2. *Id.* at 157.

3. *The Chronicle of Higher Education*, Sept. 13, 1967, at 4 col. 5.

4. *The Chronicle of Higher Education*, Sept. 13, 1967, at 4 col. 5.

5. *Dickey v. Alabama State Board of Education*, 36 U.S.L.W. 2167 (USDC Sept. 8, 1967).

"Statement on Rights and Freedoms of Students" prepared in 1967 by representatives of ten national educational organizations. These groups speak for professors, students, personnel administrators, and associations of colleges and universities. The Statement must still be ratified by the respective organizations, but demands for "student power" are obviously being heard.

The 1967 congress of the National Student Association defined "student power" as "a movement designed to gain for students their full rights as citizens and their right to democratically control their non-academic lives and participate to the fullest in the administrative and educational decision-making process of the college or university."⁶ For those who want a yardstick to measure the nature and extent of "student power" on the campus, the book by Williamson and Cowan will provide useful data.

The idea for the study was developed in the National Association of Student Personnel Administrators and funded by the Hazen Foundation. Questionnaires were submitted in 1964 to 4000 administrators and students at 1000 four-year colleges and universities. Valparaiso University was among the 849 schools which participated. The purpose of the study was to measure "student academic freedom."⁷ Included in that concept were: the freedom to organize student groups; the use of such groups to express views concerned with controversial issues; and the participation of students in institutional decision-making.

The study was thorough and the conclusions it reached were generally sound. The book has a serious shortcoming which is not its fault. Change in this area of campus life has been so rapid that information gathered in April, 1964, is now necessarily out of date. Within the past three years students have become more articulate on academic and social issues and more thoroughly involved in the power structures of their schools than ever before. Nevertheless, the study is useful to indicate directions already in evidence several years ago and to describe the climate of opinion on these matters at various types of institutions.

College administrators, say the researchers, are practically all in agreement with "an abstract formulation of the principle of academic freedom."⁸ At Catholic schools there was the least commitment to the principle by presidents and deans of students (44%); there was the most support at non-church-related private universities (83%) and liberal

6. Higher Education and National Affairs, Sept. 15, 1967, at 6 (American Council on Education).

7. E. G. WILLIAMSON & J. COWAN, *THE AMERICAN STUDENT'S FREEDOM OF EXPRESSION* 9 (1966) [hereinafter cited as WILLIAMSON & COWAN].

8. WILLIAMSON & COWAN 34.

arts colleges (78%).⁹ In an attempt to discover the realities of student academic freedom, therefore, the study analyzed four areas: free discussion of controversial issues; invitation of controversial speakers; freedom of organized protest action (especially in civil rights), and the free functioning of student leaders and editors.

It is clear that "most schools would allow student organizations to express unpopular viewpoints on controversial issues."¹⁰ A considerable minority, however, would have reservations about this freedom with regard to certain subjects. In the exercise of the right to invite controversial speakers to the campus, students have much less freedom. Indeed, almost every school would prohibit some speakers from appearing. The greatest amount of freedom in this respect is to be found at private universities, large and small public universities, and private liberal arts colleges. Protestant universities fall at the mean. Less than average freedom is found at Protestant liberal arts colleges and Catholic institutions. The least amount of freedom is in the teachers colleges.

Freedom of student organizations to engage in demonstrations appears to be conditioned by the nature and purpose of each demonstration. It is a freedom generally proportionate to the freedom of students to invite controversial speakers. Catholic universities score well in this category, however, when the issue has to do with civil rights. White Protestant liberal arts colleges and teachers colleges rated as least permissive in pro-civil rights activities.

The freedom of student leaders is almost everywhere subject to institutional restrictions. Student newspaper editors have to account to advisers or boards, as well as to the college budgetary authorities which subsidize their activities. The problems of censorship are quite common at all institutions. Lest editors feel too sorry for themselves, however, it should be said that disciplinary action seldom follows disagreements between student papers and administrations. The position of the student body president was only minimally explored, but the study left the impression that the chief student government officer was in an unenviable plight between students and administration, and had little room for significant leadership.

One of the most striking findings of the study was the large part played by students in the making of institutional policy, even as far back as 1964. "In 61 percent of the schools . . . students hold membership in administrative policy making committees, and in almost 85 percent of these schools this membership brings with it the right to vote."¹¹

9. WILLIAMSON & COWAN 36.

10. WILLIAMSON & COWAN 58.

11. WILLIAMSON & COWAN 134.

The nature of the committees and the significance of the participation are not further defined. Evidently the situation varies considerably from one campus to another. The practice of putting students on faculty committees has no doubt become more extensive in recent school terms.

In summary, students do have freedom of speech on the typical college campus. But their freedom of action has been much more inhibited. Private universities and private liberal arts colleges are leading the way toward enlarging the scope of student freedom, with large public universities not far behind. Church-related institutions, both Catholic and Protestant, are slow in making this sort of adjustment. Teachers colleges seem to have a long way to go. It is relatively easy to explain the stance of each kind of institution in terms of its special constituency and obligations.

The trend toward an expanded definition of student freedom is well under way. The adoption of a student bill of rights, coupled with student agitation to apply it on a specific campus, will bring about alterations in the traditional patterns of institutional thinking and acting. As a reaction to the overwhelming domination by faculty and administration in the past, this development may have considerable merit in higher education. One element is still uncertain, however. The assertion of "student power" is not enough. Only if the sense of responsibility among students keeps pace with their increasing share of authority on the campus will the newly won student freedom contribute substantially to the improvement of teaching and learning in our midst.

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