

# The Myth of the College as a Democracy

*By NAOMI SCHAEFER RILEY*

Shortly before the holidays, an administrator at the University of Southern California rejected the re-election of the campus newspaper's editor, Zach Fox. Fox, who had headed the Daily Trojan during the previous semester, had pushed for greater independence for the newspaper from the university, and while a majority of staff members supported him, the university's higher-ups did not approve. In an editorial published in 18 college newspapers around the country, indignant students declared: "Practicing journalism with strings attached isn't really practicing journalism at all."

They may be right. But in higher education, there are always strings attached.

College campuses provide lots of institutions that look like those one finds in a democratic society — newspapers, government, courts — but ultimately the campus versions are not the same. When you sign up for college, you are volunteering (and paying) to be part of a particular community with particular rules. Like living in a gated community where the trash cans must all be the same shade of green, or joining a church where you're forbidden to drink or gamble, enrolling in college comes with certain conditions. It's a little like living under a dictatorship, except you can leave whenever you want.

There are, of course, various legal lines that colleges can't cross: To hold on to their tax-exempt status, they must attend to antidiscrimination laws in admissions (though general counsels often disagree about how such rules apply to religious belief or sexual orientation, for example). And colleges can't make their students engage in illegal behavior. But activists on all political sides would do well to recognize that colleges can set rules.

Editors at student newspapers learn that lesson on a fairly regular basis. Most colleges assign faculty advisers to oversee the content of the paper. If administrators don't like that content, they have several courses of action — including cutting off funds to the publication, taking away facilities or official recognition for it, or changing its leadership. Campus dailies like USC's and smaller alternative newspapers like the College of the Holy Cross's conservative Fenwick Review have been subject to those sorts of actions.

Politically conservative and religious student groups have increasingly been met in recent years with restrictions by administrations that didn't agree, for one reason or another, with the mission of the particular group. Brown University recently suspended a campus Christian group. Gonzaga University has refused to recognize a pro-life group. Georgetown University decided last fall to cut ties with the evangelical ministries on its campus.

But liberal students seem just as upset about limitations. Across the country, they have demanded that colleges pay employees a "living wage," that they stop allowing university apparel to be manufactured in sweatshops, or that they keep the U.S. military from recruiting on campuses. Such "dissidents" have generally met with more success than their conservative counterparts, but the minute their actions are restricted, they cry bloody murder.

Take the situation at Gallaudet University last semester. Students at the college for the deaf in Washington didn't like the trustees' choice for a new president, so they blocked the front entrance to the university for three weeks and occupied an administration building. Their tactics made clear that they believed colleges were democracies, in which students have just as much right to choose the leadership as any other constituency.

Students also complain when told where and when they can register their protests, as if it's their right to occupy buildings or march around the campus day and night. Whether at private colleges, which are well within their rights regulating what happens on their property, or at public universities, which, just like the cities of Boston or New York, can restrict the time and location of large gatherings, there's no reason to think that students should get their way.

When high-school kids are given campus tours, they inevitably get all the policies on residential life, but apparently plenty of them enroll planning to challenge those policies. Gay, lesbian, and transgender students, in particular, have been agitating on a number of campuses for coed dormitory rooms. At Tufts University, the administration decided not to change its policies, which allow only for same-sex roommates, but did express a willingness to give single rooms to students in uncomfortable situations. The Tufts Transgender Lesbian Gay and Bisexual Collective is not satisfied, though. It "still feels that mixed-sex dorm rooms should eventually be considered," according to *The Tufts Daily*. The *Boston Globe* reported last spring that transgender students at local institutions — including Brandeis and Harvard Universities, Tufts, and Western New England College School of Law — believe that the antidiscrimination policies of their institutions "are window dressing, and that schools also need gender-neutral housing, locker rooms, and bathrooms, as well as medical coverage for gender-reassignment procedures."

On the other side of the cultural spectrum, various religious students are trying to escape the sexually expressive atmosphere that their peers are advocating. The most famous case remains the Orthodox Jews who unsuccessfully sued Yale University in 1997 to be allowed to live off the campus. The students were denounced by their peers for being "judgmental," and told by the university that if they did leave the campus, they would still have to pay the dormitory fee. As a Yale spokesman explained, coed dorms are just one "aspect of the Yale educational experience." As much as I find

that idea absurd, it would be hard to take the briefest tour of Yale's campus or Web site and not conclude that the administration believes that it is so.

Students who try to form religious groups have run into plenty of problems, too. Often their plans have been foiled by university nondiscrimination policies that proclaim that, for instance, a gay or lesbian student cannot be barred from joining or leading a Christian group. (Successful challenges have generally been limited to public universities.)

If you ask most college students, they would probably say that the freedom to say or write or participate in whatever legal activity they want is guaranteed by the Constitution. But if you want to exercise all of your constitutional rights when you're 18, you probably should take time off to "find yourself."

Last month the Foundation for Individual Rights in Education announced that "burdensome restrictions on speech are commonplace at America's colleges and universities." FIRE surveyed more than 330 campuses and said it "found that an overwhelming majority of them explicitly prohibit speech that, outside the borders of campus, is protected by the First Amendment to the U.S. Constitution." While the organization recognizes that its best legal arguments against censoring student speech are made at public universities, it also objects to speech codes at private institutions on the grounds that the latter do not live up to their promises of free speech. Boston University, for instance, pledges "the right to teach and to learn in an atmosphere of unfettered free inquiry and exposition," but FIRE points out that BU "also prohibits speech that would be constitutionally protected in society at large, such as 'annoying' electronic communications and expressions of opinion that do not 'show respect for the aesthetic, social, moral, and religious feelings of others.'" Then there is Macalester College, which bans "speech that makes use of inappropriate words or non-verbals"; and the California Institute of Technology, whose definition of harassment includes speech that "demeans ... another because of his or her personal characteristics or beliefs."

It is worth noting that some colleges are more transparent than others when it comes to stating their rules and ensuring students understand them completely before enrolling. If you look at the Web site of almost any religious college, whether it's Brigham Young or Yeshiva University, there can be little doubt what applicants will be signing up for. Requirements about dress, religious observance, speech, behavior both in and out of the classroom, and residential life are spelled out in great detail.

Of course, it would be great if secular colleges gave up the pretense that their campuses are atmospheres of "free inquiry and exposition." They're not. They just like to seem as if they are. And it's true that college administrators have largely brought on themselves the latest round of student

complaints and lawsuits. Every time administrators accede to one student demand or another, they signal that their charges have a vote in university policy.

But by now, students, or at least their parents, should know better. Students on the right should realize that politically correct speech has been a campus requirement for a long time, regardless of whether administrations are willing to acknowledge it. And that many secular universities are unwelcoming, if not downright hostile, toward strongly religious and politically conservative students. Meanwhile, the aspiring student activists on the left might do themselves a favor by finally noticing that universities are corporations run by grown-ups, who have to think about budgets and alumni giving and public relations.

So students should follow the advice of consumer advocates and relationship counselors when it comes to picking a college. Read about the product before you (or your parents) hand over money for it. And don't enter a relationship thinking you're going to change it.

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