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Address to Annual Dinner Meeting: Cleveland Association of Phi Beta Kappa

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INDIANA UNIVERSITY
Maurer School of Law
Bloomington

Address to Annual Dinner Meeting
Cleveland Association of Phi Beta Kappa
Sheraton-Cleveland Hotel, Cleveland, Ohio
May 11, 1970

William B. Harvey
Dean, School of Law, Indiana University

Thank you President Taft, ladies and gentlemen. I am honored by your invitation and delighted to have this opportunity to share with you the honoring of this splendid group of young scholars.

I had intended, as President Taft suggested, to use this occasion as a focus for trying to analyze the alienation that we sense in our students on university campuses today. Why are they alienated? How do the students express their alienation? And how should we respond to it? I suppose I would have tried to analyze, to some extent at least, our social and political malaise. I would have had some things to say about the nature of universities as a limit to the response they can make to the problems of the day. I probably would have offered some conventional praise of the life of the mind. And, being conditioned by a lifetime in the law and in universities, I probably would have left with you not only praise of the life of the mind but of the order and tranquility which the life of the mind requires.

As President Taft has suggested, however, the times have passed me by. The events of the past two weeks particularly--the reckless expansion of the war in Indochina, the consequent agony of our young people, the tragic deaths of four students at Kent State University, and the developing crisis on my own campus, a campus that is tense, angry, frustrated, but thus far non-violent--have deprived me, I regret to say, of that measure of repose and opportunity for reflection that might have produced a more polished and hopefully a more penetrating presentation. I hope, however, that you will understand and indeed forgive my sense of inadequacy this evening in reflecting my own feelings while responding to the interests of Phi Beta Kappa. How does Phi Beta Kappa mourn? How does Phi Beta Kappa find tongue to express moral outrage? "Speechlessly we seek the great forgotten language, the lost lane-end into heaven, a stone, a leaf, an unfound door."

I have known, like you, of death, and mindless destruction in Southeast Asia, in Watts, Detroit, Newark, Cleveland, Chicago. And I have believed with Donne that indeed "no man is an island intire of itself", that "any man's death diminishes me", and that, therefore, I should not "send to know for whom the bell tolls". Yet confessing my own humanity,

I recognize that events on our own campuses and particularly the events at Kent State University have brought home to me more sharply the tragedy of our time. For these are our own sons and daughters; these are the events that shroud our own hearths; these are the events that close our own classrooms. We are sustained, I am sure, by the hope that the deaths of these young people will help to redirect us, indeed to redeem us, and that they will not be in vain. My feeling is expressed well in a song of grief by Edna St. Vincent Millay which I would share with you:

I am not resigned to the shutting away of loving hearts in the hard
ground.

So it is, and so it will be, for so it has been, time out of mind:
Into the darkness they go, the wise and the lovely. Crowned
With lilies and with laurel they go; but I am not resigned.

Lovers and thinkers, into the earth with you,
Be one with the dull, the indiscriminate dust.
A fragment of what you felt, of what you knew,
A formula, a phrase remains, --but the best is lost.

The answers quick and keen, the honest look, the laughter, the love, --
They are gone. They are gone to feed the roses. Elegant and curled
Is the blossom. Fragrant is the blossom. I know. But I do not
approve.

More precious was the light in your eyes than all the roses in the
world.

Down, down, down into the darkness of the grave
Gently they go, the beautiful, the tender, the kind;
Quietly they go, the intelligent, the witty, the brave.
I know. But I do not approve. And I am not resigned.

If they are to help in redeeming this society, the students at Kent State must be remembered, their names etched in our memories. Therefore, if I could, I would say to Allison Krause, Jeffrey Miller, Sandy Lee Scheuer, and William Schroeder: "Do not go gentle into that good night."

Yet we cannot capitulate nor abandon hope. In a time and in a society riven by violence and raw emotion, we must reassert the value and the power of the human mind guided by humane compassion. This is a difficult task today because of the profound alienation of many of our students, indeed many of our best students. On that phenomenon I would like to comment briefly this evening.

Two weeks ago, immediately after the extension of our Vietnam intervention into Cambodia, the students at Indiana University presented to the Administration a set of demands. May I read those demands to you?

- 1) That the University repudiate President Nixon's plans for Southeast Asia, and demand the immediate withdrawal of our troops from Southeast Asia;
- 2) That the University end its complicity in Southeast Asia and open the books of the Indiana University Foundation to supply information on government contracts;
- 3) That the University make a financial commitment to the Bobby Seale Legal Defense Fund; and
- 4) That the University bring the percentage of Black students at Indiana University into accordance with the percentage of Black people in the population of the State of Indiana.

It is easy to view these demands contemptuously, as reflecting an appalling naivete perhaps peculiar to university students. One could point out, and with some justification: the extraordinary complexity of the university institution; the difficulty in finding one voice to speak for the university with authority and legitimacy on political issues; the fact that the university's funds are dedicated to educational purposes and cannot be allocated for other purposes, however worthy, in response to pressure tactics; the fact that the university is not able to correct instantly, even in its own educational programs, the historic injustices to Black people in this country; and the inappropriateness in the university community of the rhetoric of demand and pressure tactics. All of these responses would be, in large measure, legitimate, but these responses do not fully dispose. I would suggest that we look at these demands briefly as reflections of some of the sources and manifestations of the alienation of our students today.

What are these sources? First, a belief that our national policy is committed to an intervention in Southeast Asia that can be justified neither by good conscience, prudent assessment of national interests, nor international law; that, consequently, our intervention there is evil, imprudent, and illegal. Second, a belief that American universities have served frequently as willing partners in the implementation of that national policy. Third, a belief that American justice, both distributive and corrective justice, has been and is being denied to Black Americans and other ethnic minorities, a view, I might point out, reflected recently--at least as a fear--by the President of one of our most distinguished universities. And fourth, a belief that the historic oppression of Black Americans is being perpetuated today by educational deprivation and consequent political, economic, and social disadvantage.

To those who would condemn the alienated militant students I would ask "Can you assert with honesty that these beliefs totally lack foundation; or that in fact we are doing what we should to erode whatever foundation they have?"

This partial listing of the sources of student alienation is disturbing enough within itself, but the grim catalog could be continued. Should we not add to it the progressive loss of individual identity in a mass, computerized, technological society? Should we not list the violence we have loosed, not only on disadvantaged people in this country and abroad, but on the environment in which we and our children must live? And should we not indict the lock-step educational system which suppresses creativity and too frequently commits intelligent and concerned young people to a dreary progression of courses, seemingly designed to assure only their uncritical admission into a fat and complacent society. I need not extend the catalog. It is as familiar to you as it is to me.

The burning issue today is not the source of the alienation of the young but the nature of the response we can and will make to it. In suggesting, very briefly, some directions for that response I speak not simply as a citizen, a political being, important though that status is. Rather, I speak especially as a man of the university who is deeply concerned with the nature of the response which will be made in the university context.

First, let me make a fundamental position quite clear. I do not support the politicization of the university, in some of the current uses of that term. Rarely, if ever, can the diverse and complex elements that comprise a university find a single voice on political issues. Even if that were feasible, however, I would deny its legitimacy. Neither university administrators nor faculties have a valid political mandate, and any effort on their part to commit the institution to an activist political position or program is an abdication of their responsibility to maintain an open context for inquiry, teaching, learning, and criticism of all positions and programs.

I state this fundamental position and conviction as the basis for rejecting the urging of many activist students and faculty that the universities issue political statements and commit themselves to specific political action programs. I state it also as the underlying premise of a criticism of what many, indeed perhaps most, of our universities are and are doing today. I do not believe we can with honesty reject the demands of the activists on the grounds that we must not compromise the value- neutrality and objectivity of the universities, unless we can demonstrate our possession of those qualities. And I doubt our ability to do that. Too many colleges and universities are now too deeply committed to functions as uncritical service agencies of a society that desperately needs penetrating study, criticism and change. Our first step, therefore, must be to reclaim for our colleges and universities their ancient and honorable role as seats of free inquiry, teaching, and learning. If we rededicate ourselves and our resources to the central non-negotiable function of a university--the unrelenting and uncompromising search for

truth--we need have no fear that our roles as educators will be passive, complacent, or uncritical, in a time when our students expect us to respond relevantly and creatively to their efforts to achieve a peaceful and a just society.

My central thesis tonight is that the central and legitimate demand of our alienated students is not an abandonment of our role as educators but a return to it. This return would, I believe, be characterized by a renewed interest in teaching--by teaching that is not limited to the efficient conveyance of information, but teaching that seeks to stimulate the student's own creativity and to discipline his critical faculties. Such teaching would require more attention to and respect for the individuality of each student, the individuality of his interests and his needs. Such teaching would recognize that it need not take place always in a classroom. And such teaching would indeed address itself from a variety of disciplinary perspectives to the problems of today.

My stress on teaching is not intended to downgrade scholarship. I believe, however, that redefinition and reorientation of scholarship are called for. Too often our academic reward system provides incentives to the teacher to slight his students in order to produce publications in which not even the liveliest imagination could find a contribution of new knowledge and insight. True scholarship, which is the worthy companion of teaching in the catalog of functions of the academic, need not result in publication. It can serve an essential purpose if it keeps teaching vital and relevant and if it contributes to a constant retesting of the transmitted tradition in the light of advancing knowledge.

I have spoken primarily of responses to the student alienation by educational institutions and by individuals in their capacities as teachers. May I conclude with the suggestion that we should not find in our functions as teachers a release from our general responsibilities as citizens, as active participants in the political process. I do not argue for a merger of these roles; indeed they must be kept distinct. The faith, the convictions, on which I act as a political being have no entitlement to being taught as demonstrable truth in my classroom. As teachers, of course, we cannot exclude entirely our own value choices from our contacts with our students. But we are obligated to distinguish with honesty--to the very best of our ability--that which we offer to our students as knowledge from that which we advance as our own belief, our own political faith. And both our knowledge and our faith must be subject constantly to the searching scrutiny of critical minds.

Student alienation presents a profound challenge, not only to our educational system, but to our polity. In the words of Vachel Lindsay, "It is portentous and a thing of state." We will not meet effectively the alienation of our students merely by changes in the university, urgently

needed though those changes are. Until our young people see a reordering of political values and priorities, that alienation will persist. The end of the war in Indochina, an unrelenting attack on racial injustice, the lifting of the grinding heel of poverty from many of our fellow citizens, and the cleansing of our environment are essential goals. To these ends revitalized colleges and universities can contribute greatly. But the power of decision and action does not rest with them. For that reason I urge my faculty colleagues and my students to express their concerns and commitments directly in the political process.

This is a time of deep crisis for our universities, and for our society. The protest of our students is not the cause of that crisis. Indeed, their protest gives to me my greatest hope that we can move through that crisis to a more humane society.

But, ladies and gentlemen, hope founders when anguished protest finds no response. The foundations of what we have claimed as the American dream, if uncovered and exposed to light, would support a response in affirmation of ordered liberty, humane concern for the dignity and well-being of all men, and decent peace. Will we respond? Or will we merely await the full rage of the gathering storm?

In conclusion, I recall as especially timely, Benet's lines from "John Brown's Body" which project the mood as the Civil War darkened our national horizon:

Thirteen sisters beside the sea
(Have a care, my son.)
Built a house called Liberty
And locked the doors with a stately key.
None should enter it but the free.
(Have a care, my son.)

* * * * *

Surely a house so strong and bold,
(The wind is rising, my son.)
Will last till time is a pinch of mould!
There is a ghost, when the night is old.
There is a ghost who walks in the cold.
(The trees are shaking, my son.)

The sisters sleep on Liberty's breast.
(The thunder thunders, my son.)
Like thirteen swans in a single nest.
But the ghost is naked and will not rest,
Until the sun rise out of the West.
(The lightening lightens, my son.)

All night long like a moving stain,
(The trees are breaking, my son.)
The black ghost wanders his house of pain.
There is blood where his hand has lain.
It is wrong he should wear a chain.
(The sky is falling, my son.)

Thank you.