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International Association of

Defense Counsel

Annual Meeting

San Francisco, CA, July 15, 1995

Acknowledgments.

Ladies and gentlemen, I welcome the opportunity to join you on the occasion of your annual meeting, and especially so as you are convened in San Francisco under the able and committed leadership of Kevin Dunne, my youngest daughter's father-in-law. My remarks this morning deal with three of the issues, contextual and institutional, with which our colleges and universities will be vitally concerned as they close out one millennium and begin another.

These institutions are in transition. They always are, one might say. But what I mean is that our colleges and universities are in a period of transition comparable in scale and significance to that of the late nineteenth century when the modern American university arose from the convergence of three broad forces--the British undergraduate liberal arts tradition, the German university with its emphasis on graduate studies, research, and empiricism, and the American commitment to a broadened and more applied curriculum, a more diverse student body, and public service.

What are these issues and what implications do they carry for our nation's institutions of higher learning?

These questions are not easily answered in the abstract, nor can the answers be overly generalized owing to the diverse nature of American higher education, a brief profile of which is worth recalling.

American higher education is not so much a system as a collection of roughly 3,500 colleges and universities enrolling nearly 10 million full-time and 5 million part time students. These institutions founded mostly in response to changing conditions and distinctive local needs, are unusually diverse: there are large research universities, small liberal arts colleges, church-affiliated institutions, vocational schools, professional schools--some aligned with a university and others not--two-year community colleges, publicly supported and privately supported institutions.

Ours is an extremely large, highly diverse patchwork of institutions with a strong tradition of local control and individual initiative. They differ greatly in quality, in character and purpose, in size and complexity, in fiscal stability, in patterns of funding, and in the profile of their students and faculties. It is a non-system that by custom and public expectation is dedicated to the principle of broad student access and to the idea that higher education serves not only the private needs of students but also the larger social goals of the nation. And it serves uncommonly well the differing needs of students in our pluralistic, large-scale, highly mobile, decentralized and geographically dispersed society.

Keeping in mind the difficulty of generalizing about higher education, please bear with me as I try now to identify the contextual issues and the implications they carry for our colleges and universities.

We are living in a time of acute modernity: the rise of urbanization; the mass dislocation and migration of peoples; the specialization of knowledge; the industrialization of labor; the technological revolution and modern science.

These and the related forces and pressures they engender carry profound implications for our world and nation. They also implicate our colleges and universities in fundamental ways, e.g., they influence the nature and character of the curricula, the selection of those who comprise the student bodies, the pedagogy, the criteria for the appointment and advancement of faculty members, and the choice of those to lead our institutions of higher learning and public schools.

The forces of modernity are mainly centrifugal rather than centripetal in their effect: they tend to subordinate the more human aspects of daily life to the more instrumental, mechanistic, and bureaucratic ones; they seem to cultivate an especially debilitating form of moral relativism in people's lives and an insidious cultural nihilism in the larger society; they tend to decouple the beliefs and actions of individuals and groups from the consequences such beliefs and actions carry for others, thus shrinking one's sense of compassion, humaneness and personal responsibility; they appear to supplant the more transcendent, even spiritual principles and values, with the more common and utilitarian ones; and they tend to spread a generalized sense of indifference, masquerading as tolerance, toward acts and utterances that fundamentally undermine the self-restraint, good will, generosity of means and spirit, and common sense that are such vital aspects of a civil society.

Does this overstate the problem? I think not. In any event, it surely does not understate it. For example, one need only to reflect upon the myriad of social problems our own nation confronts, many of which derive from these macro forces: the decline and dispersal of our families; the erosion of the average person's economic well-being; the rise of big government and the concomitant shrinkage in our private lives, endeavors, and impulses; the bureaucratization of our institutions; the centralization of governmental power and authority; the rise of crime and the underclass; the increased use of drugs; the erosion of our schools; the debasement of our

literature, art and film; the ordinariness of the media; the trivializing of our public life and political discourse; the coarsening of relations between the races; and the mean-spiritedness so often experienced in daily life.

There is widespread belief that our society has lost its grip, that the familiar and steady moorings no longer secure the ship of state, that we are at sea, rudderless, and, thus, unclear about our destination, confused about our values, unconfident about our priorities, unsure of ourselves and others. We feel threatened. Ours is a diminished spirit struggling for meaning, seeking context, and troubled.

It should not be surprising, therefore, that our educational institutions -- colleges, universities, and schools -- should be experiencing a rising tide of public unhappiness about their work. Open any newspaper--and a growing number of books--and one is likely to find some new criticism of these institutions. For our colleges and universities, it is the alleged misuses of federal research funds; athletic scandals; rising student fees and tuitions; racial preferences in admission policies and faculty appointments and promotions; so-called hate speech on campuses and contention over what to do about it; the teaching loads of faculty members and the criteria employed in assessing the worth and importance of their work; the perceived neglect of the lower-division student and excessive use of teaching assistants; oversized and presumably overpaid administrations; and the durable debate over political correctness. For our schools it is diminished student performance accompanied by rising grades; larger classes and less effective teaching; unsafe schools and undisciplined students; growing administrative budgets and shrinking resources for the classroom; more money for the schools without evident effect on their performance; undemanding parents and underprepared students; schools disconnected from their spiritually shrunken communities; students bussed from school to school and from neighborhood to neighborhood; watered-down

courses and dumbed-down textbooks; and a permeating sense of frustration about anyone's ability to do anything about it.

People hold these perceptions and criticisms of our colleges, universities, and schools and neither they nor the criticisms will simply disappear. It is also true, of course, that the perceptions and criticisms are not always fair or accurate. They are often exaggerated or overgeneralized and often uninformed and inconsistent. Moreover, our colleges, universities, and schools are, more often than is recognized, finding solutions to many of these problems. And, finally, each of these institutions is not afflicted with each of these problems and may, in fact, in individual instances not be contending with any significant number of them.

My own view, however salient the criticisms may be, is that the critics have missed the real target. I do not mean that these criticisms are without merit, or that these issues are not real and require serious study and corrective action by those in positions of responsibility. I do mean, however, that the sources of the public's disquietude about our colleges, universities, and schools arise less from an objective appraisal of their more publicized and popularized shortcomings than from an unarticulated apprehension about modern life in general that looks mostly in vain to these institutions for explanation, discernment, insight, and acknowledgment. Thus, the first issue with which these institutions must contend.

By focusing mistakenly on the more ephemeral or popularized issues of the hour, the critics fail to see that the most profound and least apprehended challenge confronting our colleges, universities, and schools is the need for them to infuse their curricula with more coherent meaning and discernible significance; to connect their coursework to authentic and comprehensible educational objectives; to clarify the link between their standards for advancement and what will be expected

of them by employers or colleges and universities; and to take more explicit curricular account of the nature and character of modern society and the forces that helped form our present condition; and to compare and contrast these with other peoples and cultures for the insight such studies nearly always afford.

What we have instead, and I am now generalizing, particularly at the university and college level, is a curriculum that is mostly an extension of the specialized work undertaken at the upper-division and graduate levels, driven by the academic values and valuing of academic work in our system of rewards, and molded by the perceived exigencies of our disciplinary and departmental structures. It is not driven by the needs of the students whose curricular appetites during their first two years of college life, for example, lack discernment, if one may understate it. Our "breadth and depth" requirements (a cafeteria of courses where the main course and the dessert are easily confused), by and large, reflect compromises and trade-offs among and between the academic disciplines, whose interests reflect not so much the needs of students as those of their professors whose careers are much impacted by the proportion of time devoted to teaching and research, and whose inclinations to advance the latter rather than commit to the former come to subordinate the needs of students to those of the academic profession. I differentiate here, it needs to be noted, between the curriculum, which should be the object of scrutiny and change, and the actual quality of classroom teaching which in my view is much better than the public supposes and even better than many students deserve.

The specialization of modern life drives the curriculum as it tends to drive so much of our living: ever narrower the focus, ever more specialized the knowledge, ever more limiting of one's sense of self in the larger society and of one's sense of place in the workforce. Our curriculum is more a parody of modern life than a light to our students and a confused and deeply troubled nation.

While our colleges and universities have been weakened by criticism from without and by contention from within, they are, nevertheless, less weakened than all but a handful of institutions in our society; and, of those, they remain the ones best able to help us through the transition from where we have been to wherever we are headed.

They will be able to do so, however, only by refocusing their programs, reordering their priorities, realigning their resources and recommitting themselves to their most fundamental of purposes, viz., that of transmitting the culture from one generation to the next.

The trustees of our colleges and universities have a critical role to play here, the first of the three major transitions I intend to discuss. While the judgment of trustees on matters academic should under normal conditions, be subordinated to those of the academic profession itself, the profession has the obligation, indeed the duty, to meet its responsibilities, to acknowledge and correct the dysfunctions of the curricula, to be open and honest about them.

I focus on the lower-division curriculum because it, more than any other single variable, gives expression to the collective sense of what is worth learning during the non-specialized years of university and college life. It also takes account of who is studying the curriculum, their readiness to do so, the relevance it bears to the hopes and aspirations of the students themselves, the pedagogy, and the connectedness of these first two years of college and university life to K-12 on the one hand and specialized studies on the other.

These are formidable tasks. They are the arena, indeed increasingly, the battleground where contending forces--the academic disciplines and departments, various ideologies and academic politics--interact and important decisions are taken.

It is in this arena that issues of admission standards, teaching loads, demographic and social changes in the larger society and, thus in the student body, institutional costs, educational policy, pedagogy and political correctness converge. The trustees, by way of example, can help lend coherence to the mostly inchoate way these issues tend to be handled, can help frame the questions and challenge the answers, and can help blunt the adverse effects of excessive self-interestness on the part of those involved. This is one issue, then, that will and should engage the time and attention of these institutions and those responsible for and interested in them.

The second is the need to identify, select, and nurture those chosen to lead these institutions. And, as you well know, these positions are increasingly difficult to fill. The reasons should not be surprising:

- The growing diffusion of authority within the institutions, accompanied by a centralization of accountability;
- The labored nature of decision-making;
- The size and complexity of the enterprise;
- The changing nature and character of the student body and professoriate;
- The increasing willingness of elected public officials to take account of these institutions when giving expression to their political views and when contemplating and planning their political futures;
- The dysfunctional structure of management that so typify these institutions;
- The diminished sense of institutional citizenship on the part of faculty;
- The shrunken sense of belonging and affinity on the part of students;
- The dramatic loss of public regard and respect for these positions; and
- The growing intrusiveness of government into the inner workings of these institutions.

Our colleges and universities are not isolated, simple, straightforward, comfortable ivory towers, inhabited by persons of leisure or affluence, unburdened and unencumbered by the vicissitudes of modern life, as so many choose to believe.

On the contrary. These institutions are dynamic, changing, vibrant communities, where the old and the new contend and the unthinkable is thought. They are restless places, intellectually unsettling, where values and ideas clash. They are rather strange places actually, or should I say uncommon, full of hope and youthful in their outlook and yet steeped in their own traditions and eccentricities as well. The world "blows" through theses places like none other and it is a real ride for any president who tries to bring order and direction to a place as inherently disordered and multi-faceted as these tend to be. Such people are hard to find and even harder to recruit. More understanding and supportive governors, legislators, alumni, and trustees would help as would a press more concerned with context and substance than with trivia and sensationalism.

And finally, our colleges and universities will be contending with a fiscal base that for most colleges and universities will be shrinking in real terms, per student, for the foreseeable future.

For the private or independent sector, the tuition levels are increasingly inelastic, except for a handful of the most sought after and prestigious research universities and leading liberal arts colleges; and it is to student tuition and fees that these institutions must look for their basic institutional costs. These institutions are deeply concerned about their futures, especially as state governments fail to keep up with programs of financial aid that are intended indirectly to help students meet the costs of attending private colleges and universities. The Federal government's intentions are even less clear and predictable in this respect. What is clear, however, is that

Federal programs of student financial aid have come to rely increasingly on loans rather than on grants. And for private research universities, the overhead share of Federally sponsored research will continue to go down at least in real terms, thus making them even more dependent on student tuition and fees to offset the losses. And for our public colleges and universities it is going to be difficult in the extreme, at least for most. From 1989 onward, it has been mostly a losing fight for the nation's public institutions of higher learning. The country's economy, the rising demand for welfare and medical care on the part of a growing share of the population, high unemployment, large-scale in-migration, legal and illegal alike, the increase in crime and numbers of persons incarcerated in federal and state prisons, and the growth in many states of K-12 enrollments have all combined to shrink the share of state funds for higher education.

The consequences of this trend have been steadily rising tuition and fees, rising costs for room and board, less competitive salaries for faculty and staff, program reductions and eliminations, deferred maintenance, canceled courses, crowded classes and labs, and access denied to otherwise qualified students.

Given the nation's economy, tax structure, budgetary priorities and politics there is little reason to expect that public funds will soon alleviate the fiscal discomforts of our colleges and universities. The answer relies, then, on improving the efficiency and productivity of these institutions, and I do not mean trading-off their quality and capability in order to yield improvements in productivity.

Much of what could be done to reduce bureaucracy, to reorganize, to consolidate and otherwise restructure these institutions, of course, has already been done. The hard part will now begin. Some part of the answer, how much I am unsure, will surely come to depend on the more serious and more expansive uses of modern technology.

I know that much has already been done with modern technology; but everyone knows how much more can and, I believe, will be done in the coming years. These prospects are, in fact, exciting to contemplate and the coming generation of students will be ready for it. In the classrooms, in the labs, on any given campus, among and between campuses of multi-campus universities, among and between universities and colleges, public and private alike, in the work-place and at home, the use of technology will, slowly and overtime have a dramatic effect on where learning takes place, who learns, who teaches, and how teaching is done. The computer, electronic libraries, the Internet, CD ROMs, and the whole array of tools now available to students and scholars alike, hold the most proximate and promising prospects for improving not only the efficiency and productivity of our teaching and research but the processes of learning as well. The promise of this technology should not be overgeneralized or exaggerated and its limitations should be made clear. But what can be done with what we already have, could reasonably hope to get, and what is already evident in the discernible future should stimulate us to think in more expansive and hopeful ways about effecting changes in our institutions that will help preserve, indeed even enhance their quality and capability even in the face of adverse fiscal realities.

Believe me, I know how difficult it is to effect change in our institutions of higher learning. It is one of their strengths, but taken to extremes, it can be one of their principal weaknesses. I also know how difficult it is for others to influence the customs and norms of our colleges and universities and how careful and skillful they need to be in doing so whether they be alumni, politicians, donors or others. But it will in any event be no easy task, confronted as we all are with familiar and comfortable ways of working, with our own jumble of biases, with vested interests, with the inertia and resistance to change that typifies most of us and with a sense of being nearly overpowered by the pace of change and the globalization of our world. By

globalization I mean the in-place systems of instant and universal communication, the well-established patterns and speed of international travel, the universal implications of public health practices, the instantaneous movement of capital, the internationalization of business, the mass migration of peoples, and the spread of American pop culture.

As was noted in *A Nation at Risk*, "history is not kind to idlers"; and we would be well advised to pick-up the pace of educational reform in this country of ours while we can still do so.

David Pierpont Gardner July 15, 1995