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978-0-521-12405-8 - The Dark Side of the Ivory Tower: Campus Crime as a Social Problem

John J. Sloan III and Bonnie S. Fisher

Excerpt

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## CHAPTER ONE

## Violence, Vice, and Victimization on American College and University Campuses

### *A Brief History Lesson*

Despite . . . numerous warnings . . . [19th-century] college students continued to consume alcohol, play cards, bet on horse races, and pursue sexual liaisons. They also used violence to settle conflicts among themselves and to protest college discipline. College students' persistent reputation for rowdiness and debauchery reflects the influence of the "code of honor" which allowed, and even encouraged, drunkenness, gambling, sexual license, and fighting.<sup>1</sup>

Since the 1980s, a shift in thinking about college and university campuses has occurred in the United States. No longer is the "ivory tower" of academe perceived as a place of retreat for scholarly inquiry. Nor is college perceived as a time for growth, where students "find themselves" and their place in the world. Rather, when talk turns to life on college campuses, that talk is often about crime, especially violence. In particular, the recent mass shootings at Virginia Tech and Northern Illinois University are often used to illustrate just how dangerous college campuses have apparently become.<sup>2</sup> Besides mass shootings occurring on campus, date rape, sexual assault, and other forms of violence against women seem commonplace.<sup>3</sup> In fact, a recent

<sup>1</sup> Evelyn D. Causey, "The Character of Gentleman: Deportment, Piety, and Morality in Southern Colleges and Universities 1820–1860" (Ph.D. dissertation, University of Delaware, Newark, 2006), p. 30.

<sup>2</sup> Since 1960, for example, there have been 13 officially recorded mass shootings on American college or university campuses resulting in 88 people killed and 106 others wounded. See Lauren Smith, "Major Shootings on American College Campuses" (2007), retrieved July 16, 2008, <http://chronicle.com/free/2007/04/2007041610n.htm>.

<sup>3</sup> See Joetta Carr, *American College Health Association Campus Violence White Paper* (Baltimore: American College Health Association, 2005).

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report on the sexual victimization of college women published by the U.S. Department of Justice indicated that approximately 3 percent of college women experience either an attempted or a completed rape during a typical nine-month academic year.<sup>4</sup> According to one *New York Times* story, violence has “become a way of life for college students,”<sup>5</sup> and some researchers suggest that media reports on campus violence have “created the impression that college and university campuses are increasingly dangerous places.”<sup>6</sup>

During the past 20 years, individuals and their families who have been affected by violence on campus have often responded to these events by successfully suing postsecondary institutions over these incidents. In their lawsuits, student victims or their families have claimed that colleges and universities were liable for damages arising from these incidents because campus security was lax at best and nonexistent at worst. The legal basis for victims’ claims was the argument that postsecondary institutions *owed a legal duty of care* to students and campus visitors to protect them from harm, especially when such harm was foreseeable.<sup>7</sup>

Finally, researchers have repeatedly warned about a new public health problem on America’s college campuses, “binge drinking,” where several times a week college students consume large amounts of alcohol in a single sitting. Binge drinking is symptomatic, according to researchers, of a larger “party culture” that characterizes many U.S. colleges and universities and which not only condones alcohol abuse but encourages it. High levels of alcohol abuse, in turn, have been linked with such grave consequences for students as poor academic performance, serious physical injury, sexual victimization,

<sup>4</sup> Heather Karjane, Bonnie S. Fisher, and Francis T. Cullen, *Sexual Assault on Campus: What Colleges and Universities Are Doing about It*, National Institute of Justice Research for Practice, NCJ 205521 (December) (Washington, DC: National Institute of Justice, 2005), retrieved June 1, 2009, <http://www.ncjrs.gov/pdffiles1/nij/205521.pdf>.

<sup>5</sup> Nadine Joseph, “Campus Couples and Violence,” *New York Times*, June 23, 1981, sec. A, p. 20.

<sup>6</sup> Bonnie S. Fisher, “Crime and Fear on Campus,” *Annals of the American Academy of Political and Social Science* 539 (1995): 85–101.

<sup>7</sup> Phillip Burling, *Crime on Campus: Analyzing and Managing the Increasing Risk of Institutional Liability*, 2nd ed. (Washington, DC: National Association of College and University Attorneys, 2004).

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and even death from alcohol poisoning or drunken driving-related traffic accidents.<sup>8</sup>

### **RAISING THE SPECTER OF THE DARK SIDE OF THE IVORY TOWER**

A steady stream of media reports has emerged over the past 20 years that could lead the average person to believe that postsecondary institutions in the United States have fallen prey to the “dark side” of the ivory tower – that “violence, vice, and victimization” have become the norm on campus rather than the exception. Indeed, if these reports are to be believed, parents should be rightfully reluctant to send their 17- and 18-year-old children off to college, where, at best, they might escape with their lives after four or five years on campus.

Yet most of the public is unaware that claims about widespread violence and other forms of crime on college campuses are not new. Indeed, when examining the history of American higher education, one is quickly struck by how consistently postsecondary institutional administrators, parents of college students, faculty members, and popular media sources – both electronic and print – of the day raised similar claims that this dark side was jeopardizing the very foundations of American higher education.

What makes the past two decades apparently different from previous eras is that claims about the threats to the health and well-being of the nation’s college students became institutionalized with the assistance of 24-hour news cycles, cable television outlets, and the Internet. Now, a serious incident occurring on a college campus such as a shooting or a sexual assault is almost certain to receive near saturation coverage from various electronic and print media sources. Such coverage, in turn, helps elevate campus crime to the level of a new social problem in America.

In response, postsecondary institutions have undertaken a host of efforts to address the “new problem” that violence, vice, and

<sup>8</sup> See, for example, Henry Wechsler, Alan Davenport, George Dowdall, Bruce Moeykens, and Stephen Castillo, “Health and Behavioral Consequences of Binge Drinking in College: A National Survey of Students at 140 Campuses,” *Journal of the American Medical Association* 272 (1994): 1672–1677.

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victimization are allegedly posing to them. Many colleges and universities are now allocating significant resources to educate incoming students about the safety risks they may face while on campus, especially when drinking alcohol. Several states and the Congress have passed laws mandating, among other things, that postsecondary institutions report annually how much crime is occurring on their campuses. The courts have also held colleges and universities liable under civil law for on-campus victimizations involving their students. Consequently, a steady stream of claims has arisen over the past 20 years alleging that college students face major dangers from various forms of violence, vice, and victimization while on campus. These claims, in turn, have resulted in significant changes in how various social institutions – colleges and universities, the courts, and legislative bodies – respond to campus crime.

How did this situation develop during the late 1980s and the 1990s? What were the claims being made, and which parties were making them? How were these parties able to construct a new reality of college life rife with violence, crime, and alcohol abuse? What processes were involved? How did college students and their families, government institutions, and colleges and universities themselves respond to the claimed threat that on-campus violence, vice, and victimization posed to higher education?

This book addresses these questions by critically examining how campus crime came to be socially constructed as a new social problem. In the chapters that follow, we show how four groups, individually and collectively, came forward and made largely anecdotal claims that college students not only were at high risk of becoming the victims of various forms of crime, especially violent crime, but were also involved in unprecedented levels of alcohol abuse occurring on campus. These claims were then repeated by both electronic and print media and ultimately convinced concerned parents of college students, as well as the American public more generally, that college students faced serious dangers. As a result, something had to be done immediately to protect our young people from the grave consequences this threat posed to their futures. Ultimately, campus crime became elevated to the status of a new and growing social problem worthy of significant policy intervention at the highest levels of government.

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As we show in later chapters that focus on specific claims made about campus crime and the groups making them, much of what was being said inferred that the tripartite problem of violence, vice, and victimization occurring on postsecondary campuses was somehow “new,” “unprecedented,” or “startling” in both its scope and magnitude. In other words, the claims being made during the 1980s and into the 1990s indicated that campus crime was *new*; that it *posed a serious threat to every college student* and his or her family; and, because the threat was imminent, *significant policy resources had to be allocated to fight it*. As we show in the remainder of this chapter, however, claims about the threat posed to students by violence, vice, and victimization occurring on college campuses are not new. Rather, concerns about the threat posed by the dark side of the ivory tower to the physical and psychological health of college students and to their safety have existed since the establishment of the first U.S. institutions of higher learning during the 17th and 18th centuries. In contrast to previous historical periods, in recent years several groups – the parents of a student murdered as she slept in her college dormitory, the courts, campus feminists, and public health advocates – came forward and helped convince the public, the courts, and legislators of the chronic, ubiquitous, and imminent threat that campus crime posed to the nation’s college students. Only large-scale changes in how postsecondary institutions both proactively and reactively dealt with the threat could address the problem.

### A BRIEF HISTORY LESSON

Institutions of higher learning have existed in America since the mid-1600s.<sup>9</sup> From the humble beginnings of nine colleges founded in New England during the colonial era to recent Carnegie Foundation estimates of 4,391 postsecondary institutions operating in the United

<sup>9</sup> There is no consensus among scholars of the history of higher education concerning which school can be officially deemed as the first college in the United States. Likely candidates include the College of William and Mary and Harvard University, both of which were founded in the late 1600s, while Yale University came into existence in the early 1700s. See Arthur M. Cohen, *The Shaping of American Higher Education: Emergence and Growth of the Contemporary System* (San Francisco: Jossey-Bass Publishers, 1998).

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States during the fall of 2004, American colleges and universities have undergone a metamorphosis.<sup>10</sup>

One of the biggest changes occurring in American colleges is their evolution from male-only, liberal-arts-focused, church-affiliated institutions whose primary mission was to train men to enter the clergy<sup>11</sup> into an astonishing variety of largely coeducational institutions designed to educate students from many disciplines for entry into an assortment of careers. Further, as they evolved, colleges (and eventually universities) have taken different forms, including technical, junior, or community colleges; large state and private research universities, both sectarian and nonsectarian; and schools serving specific subgroups of students (e.g., women or African Americans). Recent years have even seen the emergence of “virtual” universities, including those operating on a for-profit basis such as the University of Phoenix and Argosy University.<sup>12</sup> Finally, as colleges evolved over the next three centuries,<sup>13</sup> they became an increasingly indispensable part of the social and economic fabric of America.

Beyond the evolutionary aspects of postsecondary institutions, what is also interesting when exploring the history of U.S. colleges and universities is that only some 300 years *after* their creation has the violence, vice, and victimization occurring there – what we refer to as campus crime – generated near the level of attention recent years have witnessed. While there have been occasional outcries over perceived

<sup>10</sup> These figures are available at the Carnegie Foundation for the Advancement of Teaching Web site, retrieved September 16, 2008, <http://www.carnegiefoundation.org/classifications/index.asp?key=785>.

<sup>11</sup> Frederick Rudolph, *The American College and University* (Athens: University of Georgia Press, [1962] 1990).

<sup>12</sup> According to the most recent Carnegie Foundation information from the fall of 2004, there are 34 subclasses of postsecondary institutions operating in the United States organized by several categories, including public and private non- and for-profit “associate’s colleges,” where less than 10 percent of all degrees awarded are bachelor’s degrees; “baccalaureate colleges,” where baccalaureate degrees represent at least 10 percent of all degrees awarded and less than 50 master’s degrees or 20 doctorates are awarded annually; and “doctorate universities,” which award at least 20 doctoral degrees each year. Retrieved September 16, 2008, <http://www.carnegiefoundation.org/classifications/index.asp?key=798>.

<sup>13</sup> John S. Brubacher and Willis M. Ruby, *Higher Education in Transition: A History of American Colleges and Universities, 1636–1976* (New York: Harper and Row, 1976); Christopher J. Lucas, *American Higher Education: A History*, 2nd ed. (New York: Palgrave Macmillan, 2006).

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lawlessness on college campuses – particularly over the civil unrest, protests, and demonstrations of the 1960s and early 1970s – much of the campus crime that apparently has been routine on college campuses for most of their history did not trigger in the public, advocacy groups, or researchers any sense of alarm or urgency. Nor was there anywhere near the large-scale, coordinated response by elected state and federal officials or campus administrators to these behaviors similar to what has occurred in recent years.<sup>14</sup> This lack of systematic response to the historical problem of campus crime sharply contrasts with the historical response of America to its crime problem more generally, especially since the 1960s and in its largest cities.<sup>15</sup>

### The Early Years: The 17th and 18th Centuries

The earliest postsecondary institutions in America took the form of small, usually church-affiliated liberal arts colleges, purposely nestled in rural settings to avoid the perceived problems associated with the burgeoning cities of the time.<sup>16</sup> As the historian of American higher education Christopher Lucas described it:

Going to college meant four years spent... under close supervision by college officials, far from the temptations of city life. Virtually all were residential boarding schools serving *in loco parentis* – which is to say, colleges accepted full responsibility for the social, recreational, and spiritual development of the young men entrusted to their care.<sup>17</sup>

While a complete history of deviant and criminal behavior occurring on the campuses of the earliest American postsecondary institutions

<sup>14</sup> One coordinated response that *did* occur during the 1960s and early 1970s was states' passing laws authorizing colleges and universities to create campus police departments staffed by sworn law enforcement officers. See Diane C. Bordner and David M. Peterson, *Campus Policing: The Nature of University Police Work* (Lanham, MD: University Press of America, 2001).

<sup>15</sup> Consider that during the 20th century trillions of dollars in resources were invested by the federal government to solve "the crime problem," often with unintended consequences. See Jonathan Simon, *Governing through Crime: How the War on Crime Transformed American Democracy and Created a Culture of Fear* (New York: Oxford University Press, 2007).

<sup>16</sup> Christopher Lucas, *Crisis in the Academy: Rethinking Higher Education in America* (New York: St. Martin's Press, 1996), p. 51; Brubacher and Rudy, *Higher Education in Transition*, pp. 39–58.

<sup>17</sup> Lucas, *Crisis in the Academy*, p. 51.

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is not available,<sup>18</sup> the existing historical record nonetheless reveals an important dichotomy occurring at these schools. On the one hand, because early colleges operated *in loco parentis*, literally “in the place of the parents,” they were largely left to regulate the conduct of students in any manner they saw fit.<sup>19</sup> As a result, school administrators believed themselves to be largely removed from or even *above* the law and were far more likely to use an iron fist than a velvet glove when it came to disciplining their students.<sup>20</sup> Against this backdrop, students faced harsh rules of discipline designed to “make them men.” Required chapel and scripture readings were a routine part of the academic program of study, and conservative Protestant theology served as the basis for the discipline that students faced, which emphasized a “spare the rod, spoil the child” orientation.

On the other hand, the historical record also contains well-documented accounts of students at these earliest colleges engaging in a variety of improper, if not downright illegal behavior. For example, underclassmen often had to act as “servants” for upperclassmen. Students also engaged in vandalism of college facilities and theft from one another and from faculty members. Students routinely got drunk and rowdy and engaged in hazing one another.<sup>21</sup> There are also many accounts chronicling students engaging in serious assaults of fellow students, including stabbings and shootings, and even murdering not only each other but faculty members as well, often over relatively trivial matters.<sup>22</sup>

<sup>18</sup> One might argue that one reason a consistent historical record does not exist is because violence, vice, and victimization were *normal behaviors* on many campuses and thus did not necessarily warrant detailed record keeping. Additionally, much of the historical record tends to focus mostly how early colleges operated, from an administrative standpoint, as well as on curricular matters.

<sup>19</sup> For recent discussion of late 20th-century and early 21st-century trends in higher education relating to *in loco parentis*, see Britton White, “Student Rights: From *In Loco Parentis* to *Sine Parentibus* and Back Again? Understanding the Family Educational Rights and Privacy Act in Higher Education,” *Brigham Young University Education and Law Journal* 2 (2007): 321–350.

<sup>20</sup> Michael C. Smith, “The Ancestry of Campus Violence,” pp. 5–16 in J. M. Sherill and D. G. Siegel (Eds.), *Responding to Violence on Campus* (San Francisco: Jossey-Bass, 1989), p. 7.

<sup>21</sup> Cohen, *The Shaping of American Higher Education*; Lucas, *American Higher Education*.

<sup>22</sup> Cohen, *The Shaping of American Higher Education*; Lucas, *American Higher Education*; Brubacher and Rudy, *Higher Education in Transition*.

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The problem that school administrators faced was that “the system of discipline...failed to achieve its...specific purpose.”<sup>23</sup> The breakdown in discipline was evidenced both through individual cases of deviance and crime and through planned and organized large-scale resistance to the rules. In fact, the disorders and riots that occurred on American college campuses during the 1960s were predated by at least 200 years by similar disorders that struck Harvard, Princeton, and other colleges in New England.<sup>24</sup>

In short, emerging postsecondary institutions aspired to achieve the lofty educational goals that came to be defined as the ivory tower of academe<sup>25</sup> through rigid codes of student conduct and harsh discipline. Simultaneously, however, they were also dealing with an emerging student culture that condoned drunkenness, rowdiness, hazing, and criminality – the dark side of the ivory tower. This “culture of deviance” would, as we show here, remain a hallmark of student life at postsecondary institutions as they grew in size and stature and spread throughout the nation.

### The Unfolding Years: The 19th Century

Accounts, both media-based and institutional, of illegal and deviant behavior on the part of college students continued during the 19th century. As colleges first became entrenched in the East and then followed westward expansion of the United States, “the student body was [increasingly] made up of youth accustomed to the individualistic ways of frontier existence [and] the problem of discipline was an ever-present source of difficulty” for college administrators.<sup>26</sup> In turn, college administrators complained at great length about the indifference students expressed toward their academic studies, while also expressing strong frustration at their inability to enforce their schools’

<sup>23</sup> Rudolph, *The American College and University*, p. 104.

<sup>24</sup> Ibid.

<sup>25</sup> Although the term “ivory tower” originated in the biblical *Song of Solomon*, beginning in the 1800s the term became a pejorative description of a world where faculty and students engaged in pursuits of the mind, disconnected from the practical concerns of everyday life. Retrieved June 1, 2009, [http://www.statemaster.com/encyclopedia/Ivory-tower#\\_ref-WWW\\_o](http://www.statemaster.com/encyclopedia/Ivory-tower#_ref-WWW_o).

<sup>26</sup> Donald G. Tewksbury, *The Founding of American Colleges and Universities before the Civil War* (New York: Columbia University Press, [1932] 1965), p. 27.

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“moral standards” with students. Both lore and officially recorded lamenting by college and university presidents testified to the persistence of students who never seemed to accept academic rigor or high achievement and bragged of never having “cracked a book.”<sup>27</sup>

Although they were apparently disinterested in academic pursuits, college and university students of the 19th century *were* apparently interested in other sorts of activities. For example, students at the University of North Carolina at Chapel Hill, on learning that prayers had been canceled one summer evening in 1849, “whooped and hollered on the campus and in a nearby hotel for much of the night,” to the chagrin of university administrators.<sup>28</sup> In the South, “despite numerous warnings college students continued to consume alcohol, play cards, bet on horse races, and pursue sexual liaisons.”<sup>29</sup> Both college authorities and members of the academy noted that “alcohol abuse, gambling, and promiscuity flourished in institutions of higher learning,” and in a speech at the College of William of Mary, one of its professors claimed that postsecondary institutions had “subjected...youth to strong temptations” and led young men into “dissipation and vice.”<sup>30</sup> During the 1832–1833 academic year, the faculty at Dartmouth met 68 times to sanction instances of delinquency by students enrolled there, while during the 1851–1852 academic year 282 cases of student delinquency came before a faculty disciplinary board at the University of North Carolina at Chapel Hill from a student body of just 230 men.<sup>31</sup> One young man enrolled at Furman University in 1854 wrote to his parents that he was thankful he had the maturity to withstand “the ensnaring temptations of college life which have seduced many a youth... [into] the most degrading of habits and vices.”<sup>32</sup> College students in the South developed a general reputation as being rowdy and for pursuing debauchery; such behavior was apparently influenced by a code of honor of the time that allowed (and even encouraged) drunkenness, gambling, sexual

<sup>27</sup> Lucas, *American Higher Education*, pp. 93–94.

<sup>28</sup> Causey, “The Character of Gentleman,” pp. 71–72.

<sup>29</sup> *Ibid.*, p. 30.

<sup>30</sup> *Ibid.*, p. 200.

<sup>31</sup> Rudolph, *The American College and University*, p. 106.

<sup>32</sup> *Ibid.*, pp. 202–203.