

Legality and Morality: The Issue of Disrobing Analyzed

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Discussions concerning the recent campus disrobing incident usually focus upon the motives of the actors involved. The students are accused of being publicity-hungry, the attorney general is indicted for his alleged desire for political gain, and the local prosecutor is accused of a weak-kneed capitulation to political pressure. On the basis of such discussions it is easy to lapse into *ad hominum* arguments about these participants. (Indeed, a certain local cement mixer whose humor reflects all the subtlety of an amplified Bronx cheer, has developed this *ad hominum* approach into a finely honed, if monotonously and awkwardly used method.) These rather parochial discussions fail to consider some of the most important aspects of the issue. Two questions are particularly appropriate and interesting. First, what makes the issue so perplexing to the public? Second, why is the settlement of the issue seemingly so dependent upon the legal process?

A common response to the first question might very well be, "Only an academician could ask such a question! The reason is simply that people don't like students running around without their clothes on." I suggest that the issue is a more complex issue which is related to some basic social and political characteristics of American society. Public opinion surveys quite conclusively show that very few Americans have anything close to a well defined, well developed political ideology. Nonetheless, most of us manifest some kind of basic and quite stable core of perceptions and attitudes which we use to interpret the world around us. The disrobing incident

is particularly perplexing to the public because it is especially difficult to place within this world view. The cues the incident generates are not easily related to our traditional core of political attitudes and behavior.

The Grinnell issues are not easily related to the more common campus occurrences which are usually associated with the "politics of confrontation." No buildings were damaged, no papers were destroyed, and indeed no ultimatums were made. Given the political context of the last few years, American society is probably better able to comprehend (but not, I emphasize, necessarily approve of) these more violent acts than it is able to comprehend the nature and goals of disrobing. Out of necessity this society has been required to cope with a great deal of violence during the past few years. I am not arguing that these experiences have created a greater legitimacy for violent acts. I am only arguing that, regardless of his attitudes towards the disrobing, an individual can more easily relate violence to his world view than he can relate public nudity.

Furthermore, the disrobing becomes more perplexing because of the difficulty of viewing it in terms of traditional religious values. Here again I do not say that this confusion itself necessarily creates greater approval or disapproval. The disrobing adds a variation to a typical and traditional problem which Judeo-Christian religions face. Traditionally, the church has faced a conflict over whether to stress physical over spiritual amelioration of the unfortunate. A Hasidic aphorism nicely summarizes the usual two positions in this conflict. "Don't worry so much about my soul and your body. Worry about my body and

your soul." The disrobing incident is confusing because it forces society to consider a moral question in a manner concerned with amelioration of the body in the traditional sense of seeking protection or sustenance for it. On the other hand, they were quite explicitly telling society not to worry about the actual physical appearance of the body. These are two uncommon and rather sophisticated ideas, and it is little wonder that the stated aims of the nude protesters are constantly misunderstood. (Certainly the media has made little attempt to make these issues any more comprehensible.)

Why, then, does society attempt to solve such a particularly perplexing moral issue by means of the legal process? The sociologist William Chambliss suggests that "the legal process must be understood as taking the form that it does because of the characteristics of the social system which are independent of, and which render relatively inconsequential, the motives, character, or personality of the particular people who occupy positions in the system." Such participants are only a part of the larger social structure to be resolved by means of the nature of the conflicts to be resolved by means of the legal process and to a lesser extent, the sanctions to be implemented. In American society we often turn to the legal process as a means of settling moral issues. Recent opinion surveys show that the individual American most commonly claims that crime is caused by moral breakdown. They also show that paradoxically the individual American commonly expects that traditional government legal sanctions will correct moral inadequacies. In fact, Daniel Bell contends

that, despite glaring failures, "in no other country have there been such spectacular attempts to curb human appetites and brand them illicit." Since the disrobing incident involves some sophisticated moral issues, and since we often try to resolve these issues through the political-legal process, it should not be too surprising that participants in the legal process are involved. Individual motivations thus explain only a part of the story.

My purpose here is not to suggest solutions but merely to consider the impact of the disrobing incident. However, I would like to point out two problems which often evolve from any attempt to resolve such moral issues by means of legal process. First, it is all too easy to define the morality of the powerful as the customary, acceptable moral behavior. Such a definition could be particularly costly to a pluralistic society. Second, the frustrations which develop from an attempt to enforce laws based on legal moralism can often lead to a dangerous impatience with the tenets of due process.

Writers Conference

Awards of up to \$50 will be given for individual works of verse or fiction, if submitted to Mr. Moore (ARH 32), by March 3. The judges will be Mr. Andrew Lytle, speaker for the annual Writers' Conference (March 12-13), novelist, critic, and editor of the *Sewanee Review*; and professors Kissane and Liberman. Winners will be announced at the Writers' Conference.

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Pollsters Examine Election Attitudes

By
KATHY BULL and MOLLY McGUIRE

After the "give 'em hell" SGA presidential candidates' speeches on Monday night we undertook to listen to the voices of the overwhelmed students. Freshmen Carol Sigmond and Jim Bellilove and sophomore John Gardner were spotted just inside of ARH. Miss Sigmond's political stance is in the middle of the (straight and narrow?) road. She calls for vigorous pursuit of a responsible, moderate (not antagonistic but wishy-washy), capable of compromise, approach to student government. She berates Mark Allen for his claim that students should not have a hand (or foot), even, in academic decisions. This year Miss Sigmond's vote will go to either Jamie Trotter or John Herr because she likes the issues they didn't raise and the solutions they didn't propose. She was impressed by their suggested comprehensives, bookstore co-op, and interdisciplinary studies programs. "The problem is not the system but the people. Thirteen members could not be more or less democratic than forty."

Jim Bellilove is throwing up his support to Jim Lew. "I didn't think I'd like anyone when I came to hear the speeches, but I liked Jim's idea of making the campus more friendly. Different factions on campus don't know how to talk to each other and don't understand each other."

John Gardner liked John Herr's "general tendency toward unification of the student body." Student bodies should be unified! (Remember Tom Thomas' "warm body approach.") Gardner said that he liked many measures of the Thomas regime, and he thinks that it's

important to vote to elect someone who expressed his own views with as much clarity and conviction and vaseline as Tom has.

In the warm and lively atmosphere of the Forum, Phil Sampson and Roger Doenker were buttonholed. These two found the courage so typical of Grinnell, to disagree. These hardy souls dared to question the worth of the office of SGA presidency. Mr. Koenker feels that it is indeed worthwhile if there is someone competent to make decisions. The quality of the office, he conjectures, is determined by the people who fill it. Mr. Sampson, dissenting, thinks that the office is too powerful, but does not feel an attempt at decentralization would be successful. Their choice of candidate was the Grim Reaper, by acclamation. Their reasoning was that he "comes closest to your heart and head, dresses most stylishly, was the least deathly of the five, and has the courage to lie down and say what he thinks." They concurred on the idea that the student government needs people who are not afraid to say what they think, to stir things up, to be so bad as to incite a riot, and to give rebirth to the student government. "People are going to have to quit playing this game and start playing their own. If enough students want a student government there should be one, if not, there shouldn't" Mr. Sampson suggested that there be a general senate, including elected student, faculty and administration representatives. At this point Tom Thomas ambled over, and "the Old Guard" discussed the distinct decline in political fervor from last year.

Also found drinking in this convivial

setting was Bill Thomas. In response to the battery of incisive questions, Thomas quickly formulated his two thoughts and shot back, "The conservatives don't seem to be very articulate and intelligent, which is reasonable. We need someone to maintain diversity and keep things petty. He wouldn't have to be elected, just run." Thomas felt that the office of SGA president does not have any inherent importance except in financial matters (providing funds for beer blasts etc.); the importance is dependent on the specific events that may occur and his response to them, and the representative image he portrays to the world. Thomas holds that specific ideas are less important than personality in this race for office. He sums up by saying something that has been festering inside all of us for too long. "What this college needs is more nepotism."

Having finally roved to the Younker study room, we came upon Tom Merrill, sophomore, quenching his voracious thirst for knowledge. His full written text follows:

"I'm for Jamie Trotter. From the opening speeches it appears that, first, a kind of conservative reaction has set in with the student body — the emphasis was on reconciliation and a "happy community" rather than on confrontation, and revolutionary change. Secondly there was a rather strong resentment expressed toward what was described as an elitest SGA. Jamie Trotter demonstrated a painful sincerity and determined naivete that is perfect for implementing a quixotic program along these lines. He was also refreshingly unhip, sort of low-camp in his own right. An enthusiastic high school approach is just what Grinnell needs."