

THE UNIVERSITY ASYLUM AND ITS VIOLATIONS

One should obviously start to examine the issue by referring to the etymology of the term of asylum, according to the precept emitted by Epictetus, i.e. that the starting point of science resides in the examination of the meaning of the terms used in considering the problems raised. In the case of the term of asylum one has to accessorially deal with the concept of impunity and hence with that of inviolability. The term of *asylum* itself is a substantivated adjective originally denoting a place, mainly a tomb, then a sacred edifice which has not suffered and hence is not allowed to suffer any spoliation. Such a place used to be the fireplace of a home, then an altar and, finally, a temple where a prosecuted person could find refuge. The prosecution was supposed to stop at the entrance of the edifice. However, other means had been invented to continue the prosecution of the person, in spite of the respect of the inviolability of the place. The most famous historical example is that of Pausanias, the king of Sparta, who had betrayed his city and who elected as his refuge the temple of Athena. The authorities of the city, then, decided to build up the entrance of the temple, to let him die there, the person who laid the first stone to this effect being the traitor's own mother, thus providing the example of the respect of both the symbol of the asylum and of the city's laws. In later times, the notion of asylum was extended to the embracing of a Roman emperor's statue, which reminded of the primitive gesture of a suppliant's embracing the knees of a mighty person asking for his protection. Then, inviolability was extended to people who were prosecuted in their own country, on the condition that they settled in a foreign country needing to reenforce its population (the most evident example in this case being the installation of British convicts in Australia) or its armed forces (in this case the most important example being the creation of the French Foreign Legion). Then, the principle of inviolability was extended to the buildings of foreign embassies, the most prominent example in recent history being the case of the asylum conceded by the American embassy in Budapest to cardinal Miszenty after the 1956 insurrection in Hungary. Last, but not least, inviolability is traditionally extended to warships of foreign powers, since they are considered, just as foreign embassies, as grounds of foreign countries.

The notion of university asylum, though deriving from the general notion of asylum, has acquired a very specific meaning. It originally applied not to persons, but to the free circulation of ideas within the bounds of the area covered by the buildings of a university and only accessorially to the activities of the teaching personnel and of the students. The term of university did not mean, as it does in our days, the buildings and the administration of an institution aiming at the teaching of and the research on various scientific disciplines, but, on the contrary, the community of professors and students living and acting together as a whole. Hence, the term of asylum meant in this context the spreading of ideas independently from the vigilance of the Christian Church which was always susceptible to investigate on the dogmatic rectitude of the theories taught. Free-



dom of teaching and discussing new ideas was therefore guaranteed and intervention from outside was by no means tolerated. This situation was the outcome of a long struggle on behalf of both students and professors against dogmatic pressures and finally against oppression exerted by the Church. And it was a victorious outcome, since it resulted in the recognition of the freedom of thought and, therefore, in the assurance of scientific and philosophical progress, and was, morally, a progress in itself. It was an accomplishment that took place during the so-called «dark» Middle Ages which turned out not to be *that* dark as is commonly claimed, since philosophy and science were then strengthened and made enormous progress. But the university asylum which was the cause of this progress was thereafter globally recognized as a fundamental legal and legitimate right of the university communities. It obtained the general respect and has since then never been contested, unless incidentally, during repressions on behalf of totalitarian states. I personally experienced such inspections of my teaching during the dictatorship in Greece, through the presence of secret agents. But my students reacted very carefully by teasing them in such a clever way that they finally were obliged to suspend their inspections. The university asylum was wittily defended and preserved. Its glorious permanence was definitely sealed. But it still concerned the free circulation of ideas within the limits of the university area.

There has been thereafter a deplorable shift in conceiving the meaning of the notion of asylum, from that of the free circulation and discussion of ideas to that of the impunity of criminal acts committed within the bounds of university buildings and campuses, on the occasion of student's claims. The State itself seems to understate the danger represented by such an impunity exerted in the name of tolerance, as if it were afraid to be qualified as lacking democratic intentions in protecting popular unrest. But which are the main student claims in such cases? All of them consist in asking for «better» conditions in their studies, most of them being unacceptable, such as no frequentation of the classrooms with no obligation to follow oral teaching and indulgent treatment during examinations, which entail low progress in their studies. Such claims are sustained through terrorisation of certain categories of the teaching personnel of low scientific standards who have been unduly selected and elected under deplorable conditions. These «professors» are ready to surrender, due to the pressure of special dynamic student groups which they generally join in their claims, being afraid of suffering disgrace on their behalf, and otherwise risking to see their incompetence being denounced by the student themselves, so needing to adopt students' illegal and illogic revendications. To these illegal claims which meet a disposition of the State to surrender to absurd disciplinary exigencies of a turbulent minority of dynamic lazy students the State itself reacts timidly by accepting acts of pure terrorism in the name of democratic tolerance, but which are of purely terroristic essence and whose main manifestation resides in the illegal occupation, by bands of students, of the buildings of universities throughout the country and in the vandal destruction of scientific facilities of high cost, that have been purchased at the expense of the tax payers.

Worst of all is the attitude of the police force which, by constantly displaying an extremely careful, prudent and attentive behavior, not only hesitates to invade by irruption the university grounds, due to an excessive democratic timidity, but also suffers aggressions by the students and other uncontrollable intruders wearing hoods to hide their faces. These suspects, «leaving» their «refuge», often get momentarily out of the occupied area to launch «Molotov cocktails» and other dangerous objects, against the forces of order causing serious injuries to them before they join again their «retreat» waiting for their

next attack and, in the meantime, proceeding to the destruction of private properties breaking shop windows and burning cars in a series of unimaginably fierce vandalisms. The attitude of the police forces, even then, remains still unchangeable. The individuals in the streets, wearing hoods are qualified as young «known unknown» people. This qualification of such individuals has its explanation. Most of them, claiming their belonging to anarchist groups, also belong to wealthy and potent families, which is normally a contradiction in itself. As soon as one of them has been simply arrested, the family intervenes, be it directly or indirectly, through members of the parliament and other dignitaries, to immediately obtain their release and further impunity. Such a situation is not only unacceptable, but would have been frankly ridiculous, had it not been disastrous, due to its deplorable effects. The social issue thus becomes highly vulnerable due to its complete dissolution. Public life is impeded from any regular functioning, particularly at the level of education, and the State is unable to mark its presence by lack of any kind of power and real energy. Its structure, though still pertaining, is obviously fading away and the democratic beliefs of the citizens begin to give way to velleities of some kind of repression to be exerted towards troublemakers who join insolence to cowardness by thinking that they are worthy of obtaining, at once and without the slightest effort, everything since they have decided that everything belongs to them.

This belief, at least heavily erroneous, has not been formed without a real background. It has its reasons which have to be looked after and located within the generalized crisis experienced by contemporary societies. Our societies have evolved very rapidly, due to the change of our way of life, with all the facilities and commodities through which technology has enriched it. This sudden change has entailed a deep and pluridimensional historical crisis: economical, social, cultural and, above all, moral. My constant definition of such a crisis is that it consists in a discontinuity within a continuity and in the sudden interruption of a normal evolutionary process. This is the situation we experience nowadays and it is deceiving in many respects. History seems to proceed more rapidly, following the unbelievably increasing speed of our travels. But our cultural and moral progress is far less speedy. It follows a normal evolution which is less and less able to meet the exigencies of everyday life. This is the deep cause why dissolved average families neglect to inculcate to their young heirs the solid values traditionally inherited by the parents, such as those of social solidarity, creative effort, creativity, building up through a proper education not only a clear mind, but, above all, a moral personality and respecting the freedom of the other to the same extent as requiring through legal means the respect of one's own freedom. These values seem to be absent from the young generation which claims lazyness and hasty profit in every respect, conformingly to the immediate example it has been given by the former generation. The crisis experienced by our societies due to the difference of pace in the progress of its various aspects, is, then, manifested through innumeral extravagances which, in fact, are symptoms of a serious global disease of the social body. The question, then, follows: is the disease in question curable? And, in the case of an affirmative answer, which would be the appropriate means for a prompt recovery?

Let us come back to our starting point, the notion of asylum, misunderstood and mistreated in such a blameworthy way in our days. It is a notion that designates the obligation to respect a precise location of an area and protect it from the intrusion, from outside, of any person susceptible to impede or disturb in any way the freedom of expression and discussion of the ideas promoted within its range. Nevertheless, we have already stated that, in numerous cases, this freedom is being abolished by "irresponsible",

though heavily responsible, individuals who proceed to acts impeding the free circulation of ideas, even by destructing instruments, i.e. technical means of spreading out knowledge and by proceeding to other acts punished by criminal law, such as circulation of narcotics or (last but not least) rapes, not to mention exactions perpetrated against the forces of order and the property of loyal citizens. Criminals of this kind should pay for their crimes. The State should protect innocent citizens and public property. The original meaning of the notion of asylum should be restituted.

To this effect, it is suggested that a series of radical measures be taken: 1. The legal democratic intervention of forces destined to protect public and private property, under the supervision and protection of the judiciary authority should be guaranteed. 2. Exactions of so called «anarchist» groups against public buildings and installations as well as private property and police personnel, should be severely punished. 3. Revealing publicly the identity of hood-wearing individuals should be practiced without exception and parents heavily penalized when attempting to secure impunity of young people found guilty, and intervening for their release, both these categories of persons being condemned to severe penalties not commutable to any kind of money fine. 4. All delinquent individuals should be placed under the jurisdiction of their families, the latter being directly responsible for them. 5. Political parties and groups tempting to change, through subversible slogans, young people's dignity into absence of civic responsibility, should be fined on constitutional basis, and see their political activities temporarily suspended. 6. Finally, education, both at the family and at the school level, should be given priority inasmuch as it is the main means of inculcating to the child, from its very tender age, the values of responsibility, of duty, of dignity and of respect of the other's own rights, but mainly of the other's freedom which obviously restricts the limits of each and everyone's own freedom. If and only if the family (and accessorially the school) takes care of inculcating early enough these values to the consciousness of the child, the latter will grow having in mind his responsibilities toward his community and will acknowledge his debt to it. The respect due to the true meaning of the notion and reality of the asylum, particularly of the university asylum, will be restituted to it after the present lasting social crisis and properly function in the correct direction.

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