The professor at the conference handed around a copy of his class syllabus to illustrate how he had implemented his teaching innovation. He seemed a gentle, polite, and concerned teacher, someone who would be well liked by his students. And yet, viewed through the lens of his syllabus, he appeared a tyrant.

The arrogant tone of the document was all too familiar. Instructions to the students read like imperial commands: “You will submit three projects...,” “You will make a five-minute report...,” “You will submit a written version...,” “I will expect regular participation...,” “You must attend class....” His institution’s policy on electronic submission of assignments, quoted in the syllabus, was even sterner: “Students bear sole responsibility for ensuring that papers or assignments submitted electronically to a professor are received in a timely manner” and are “obliged to have their e-mail client issue a receipt verifying that the document has been received.” Indeed, they should “retain a copy of the dated submission on a separate disk.” presumably as proof of having met the deadline.

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The school's policy on disabilities was yet more legalistic. "Students with a documented disability must inform the instructor at the close of the first class meeting...If you do not consult with the instructor and follow up at the Student Support Services office during the first two weeks of classes...you will thereby waive any claim to a disability and the right to any accommodation pertaining thereto" (emphasis added).

This harshness is, unfortunately, not uncommon in syllabi. At a subsequent faculty discussion of power in the classroom at my own university, I quoted these sections of the syllabus as examples of an authoritarian faculty mindset. There were embarrassed smiles of recognition all around. One faculty member, also a kindly and concerned teacher, shamefacedly admitted that those phrases could have been lifted directly from her own syllabus. She hadn't realized until that moment how rude they might sound to students.

But the sad fact is that students don't seem to be offended by being ordered around in course syllabi. Cynics might argue that this is because no student actually reads them. But even if they do, by the time they come into our college classroom, students have received many similar edicts. They have probably come to think of them as the normal way of doing things.

I find it hard to believe that teachers always treated students so rudely in their syllabi or that syllabi were always so detailed and legalistic, trying to cover almost every eventuality. It is likely that the authoritarian syllabus is just the visible symptom of a deeper underlying problem, the breakdown of trust in the student-teacher relationship. When and why did this state of affairs arise, and how did it become so widespread?

One reason for this breakdown is undoubtedly the lengthening reach of local and national legislatures into the classrooms. For example, a faculty member at my university was surprised to be told that he had been reported for violating the law by leaving graded homework outside his office for students to pick up at any time. He contacted my office to find out if such an arrangement, convenient for both instructor and students, was indeed illegal. (These issues are dealt with in my own institution's Undergraduate Instructor's Manual, but faculty ignore this document the way students ignore syllabi.)

I checked the manual and found that it was: "Graded exams, papers, and homework should never be left outside of office doors or otherwise unattended for students to claim; this is a violation of FERPA and an invitation to theft. Instructors should return graded material to students individually, in class or in office hours, or should arrange to mail final material to students once the semester has ended."

FERPA, as we all come to know sooner or later, stands for Family Educational Rights and Privacy Act, federal legislation that governs the privacy of student educational records.

So it has come to this, that the innocuous act of returning homework to students is now overseen by federal statute.

College faculty across the country are probably routinely violating this law one way or another, wittingly or not. For example, in my own 200-student physics course, I had been assigning homework for each class (which met three times a week). The assignments were handed in at the beginning of each class, graded, and returned at the beginning of the subsequent class.
This resulted in a lot of paper moving around: at the beginning of each class, 200 students had to hand in their new homework and pick up their graded assignments. In order to manage this process efficiently, I sorted the graded homework into assigned groups of four and placed the piles in front of the class, so that any one member could pick them up for the entire group before class began. The system worked so well that I did not lose any instructional time at all, despite the seeming complexity of the operation.

But was I breaking the law? Possibly. I was, after all, not returning homework individually, and students were picking up someone else’s homework in addition to their own. But after doing this for 10 years for a total of about 4,000 students, I have not heard one student complaint. Maybe the students did not know about FERPA. But even if they knew, they did not care. I think that most students understand when something is done to advance legitimate educational goals, and they will look for rules to invoke only if they feel that the teacher does not have their best interest in mind. It is when that sense of trust is broken that rules and laws become important.

If we were to take the number of rules in a typical syllabus as a measure of that lack of trust, we would have to conclude that at present the college classroom is in a very sorry state indeed. Of course we need some rules and policies at the institutional level. But there should also be room for common sense and judgment about what is and is not appropriate in the classroom, and good learning practices should be the driving force.

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Benefit of the faculty, and students know this. As long as we are not capricious, abusive, or flagrantly unjust, we can pretty much set the rules of the classroom, and students have to live with them. The problem is that many teachers are not using this flexibility to explore teaching methods that might enhance learning. Instead, we defend ourselves against potential challenges to our authority by wielding the course syllabus, our chief instrument of power, like a club.

My own institution’s Undergraduate Instructor’s Manual is full of useful information on how to prepare course materials, prepare and conduct exams, deal with students with disabilities, respect confidentiality, etc. All these issues are presented with the aim of helping the instructor—especially the novice—avoid the kind of blunders that might generate disputes.

But the tone of the sections that deal with course syllabi are formal and defensive, as if a committee had looked at all the possible things that could go wrong and all the possible laws that might apply, and then had devised rules to prevent disaster. New faculty are also given friendly advice by academic administrators that the syllabus is like a legally binding contract, so they should put in it everything that they expect of students and go over it on the first day of class.

I have before me a legal newsletter from another university in which the author clearly lays out the implied contractual nature of the syllabus:

The most common of these types of implied agreements, at least from the faculty perspective, is the written syllabus and/or oral recitation of the rules, policies, procedures, and expectations given to students by faculty at the beginning of each academic course. When a dispute arises with a student over course requirements, satisfactory resolution of the dispute frequently rests on
the legal enforceability of
the terms and conditions of
these implied agreements.

The author then proceeds
to describe what a faculty
member needs to put in the
syllabus in order to have a
solid legal case in the event
that a dispute with a student
should go to court.

Given this attitude, it
should not be surprising that
the classroom has become a
quasi-courtroom. I have seen
course syllabi that extend
over 20 pages. A colleague
told me that he spent almost
all the time of his first three-
hour class walking the stu-
dents carefully through the
syllabus, because otherwise
he could not be sure that they
were aware of all the rules he
had established for them to
follow. But the result of such
an attitude is that we end up
viewing all students as
potential courtroom
adversaries.

I am sure that it is not pleasant for stu-
dents or teachers or universities to have to
go through judicial proceedings because of
some classroom disagreement. But why do
we assume that this is the worst thing that
could happen and must be avoided at all
costs? If the price that we pay for our legal
protection is the creation of a controlling
classroom atmosphere that stifles learning,
isn't that a much worse result? Repeated questions by students
such as "Will this be on the test?" and "Do we have to know
this?" are symptoms of the extent to which following rules has
replaced learning as the chief goal in the classroom.

To begin to understand the phenomenon of creeping authori-
tarianism, I need go no further than my own courses and syllabi
and see how they have evolved over the years. When I started
teaching my large introductory physics courses, I was con-
vincing that the only way to keep on top of things and maintain
clarity, fairness, and uniformity was to be highly organized.

So my syllabi were very detailed, laying out what topics
would be covered and when, all the deadlines for homework and
dates for exams, detailed penalties for missing anything, and the
exact format for writing papers (down to page length, fonts and
font sizes). I even had instructions for how the homework sheets
were to be folded before being handed in, and students lost points
if they folded them incorrectly or not at all.

What is telling is that my monster syllabus came
about even though I wasn't trying to prevent legal
actions. I had good educational reasons for all the
rules, and for dealing efficiently with large classes
I can still justify a few of them. But the list of rules
grew year by year, driven
by its own internal logic.
Initially, for example, I had
no penalties for missing
deadlines, since I assumed
students would meet them.
When a significant number of
students did not, my syl-
labus the following year
had penalties that increased
each day that the assign-
ment was late.

I also didn't have penal-
ties for papers that had ty-
pographical or grammatical
errors; I simply assumed
that students would proof-
read anything they handed in. When
that didn't happen, I introduced detailed
penalties for those infractions too. Each
added rule produced requests for excep-
tions from students who couldn't meet
it. So other rules were tacked on to deal
with the possible range of exceptions.
And so on. Like Abou Ben Adham, my
name led all the rest when it came to
comprehensive, detailed, and authoritarian syllabi.

I confess that my system worked extremely well. The papers
came in on time, carefully proofread and edited. Homework was
handed in like clockwork, folded correctly. I, like so many teach-
ers before me, had discovered the power of the detailed syllabus
to achieve precisely targeted goals. That power went to my head,
like power usually does, and I began to think that I could create
a rule to achieve whatever I wanted. Some departmental col-
leagues, marveling at the smoothness with which my course was
run, adopted many features of my syllabus for their own courses.
Thus are the vimses of complex syllabi spread through academia.

But I discovered that there were important things that I just
could not do with my syllabus. I could not make students care
about the work, be creative and original, be considerate of
others, or write and speak well. All I could do was force them
to do very specific things. As I started reading the research

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literature on good teaching practices, I came to realize that this failure was not due to my technical inability to devise ingenious rubrics to add to my syllabus to achieve those more worthwhile goals. Rather, it was that the very act of creating detailed course requirements and forcing students to obey them actually worked against the higher goal of learning.

The emphasis on tight classroom management, although widespread, goes counter to some of the most compelling research on learning. In *The Learner-Centered Classroom*, Maryellen Weimer argues that learning ensues when instructors relinquish much of their power and cede some decisionmaking power to students. Alfie Kohn, in *Punished by Rewards*, points out that student motivation is enhanced when rewards and punishments are minimized, students are given choices about what and how they learn, and students and teachers collaborate in classroom-policy decisionmaking.

In *Power in the Classroom* Virginia Richmond and James McCroskey emphasize that students have more power than we realize and that the more we try to exercise direct authority, the more likely it is that they will devise ways to thwart us, leading to reduced learning. Robert Boice’s work on classroom incivilities in *Advice for the New Faculty Member* shows how student resistance to learning is not necessarily innate but arises from the atmosphere created early on in the classroom.

All this made sense, once I realized what I should have known all along, that learning is an inherently voluntary act that you can no more force than you can force someone to love you. Authoritarianism and fostering a love of learning just do not go together. If they did, the best learning should occur in prison education programs, where the “students” can be coerced to do almost anything.

When I stepped back and looked at my syllabus in the light of this new understanding, it appeared completely foreign to my conception of what an ideal teacher-student relationship should be. Somewhere along the way, I had lost sight of the fact that a learning community has to be a community in the best sense of the word. I had made my classroom into a dictatorship. Since I seem relaxed and approachable the students did not complain; it was a benevolent dictatorship. But it was a dictatorship nonetheless, since I unilaterally made all the decisions that affected the students. My focus on having the trains run on time had prevented me from achieving more fundamental and important learning goals.

I became increasingly uncomfortable with the way my classroom was structured. So when I had the chance to teach a new seminar on the evolution of scientific ideas to a much smaller class of 17 sophomores, I decided that the time had come to make changes. But rather than make incremental changes I decided—like an addict who concludes that the only way to become free of the dependency is to make a clean break—to dispense with a formal written syllabus altogether.

I walked into the first class with only a reading list and a tentative schedule of readings for the first few weeks. We did not talk about rules or grades at all; instead we went straight into a discussion of the course subject matter. While I felt almost naked going into the class with no syllabus in my hand or already posted on the Web, the students did not seem to be at all concerned by its absence. No one mentioned it, lending further support to the thesis that no student ever reads it.

It was only after about five weeks into the course, when the students were getting their essays returned with detailed feedback, that one asked whether the essays would be assigned a grade. It was then that we had a class discussion on the topic of course requirements. I told them what my learning
goals for the seminar were and said that I was open to discussing how they would be evaluated. However, I also said that I had an ethical obligation to my institution to ensure that the grades were meaningful measures of learning, and also to my discipline to ensure that the course was advancing knowledge in that area.

Within those constraints, we reached a consensus on what the students would need to do to reach the learning goals and to earn their course grades. We selected a fairly traditional mix of short essays, a research paper, a formal presentation, and participation. We also decided on the approximate weights of the assignments, with some flexibility for individual choice.

We reached an agreement about broad criteria for evaluating each item in the mix, with the consensus being that they would leave it up to me to make the final judgment based on my experience and expertise. What was especially interesting to me was that they did not want a reductionist, detailed, itemized scoring of class participation (such as keeping track of how many times each person spoke, the quality of what they said, etc.), which is exactly the kind of thing a legalistic syllabus might spell out. They felt that this led to artificial, points-related behavior and hindered genuine discussion and learning.

They preferred that I make a holistic judgment. I told them that ultimately, assigning a grade has an unavoidably subjective component and that the system would work only if they trusted that I would judge them fairly. The students seemed to treat that statement as if it were obvious, and it went unchallenged. (This is another example of the differences between student and teacher perceptions. While we go to great lengths to persuade students that our grading is objective they, despite our protestations, seem to assume that it is quite subjective.)

We also set up a schedule of deadlines for assignments, again with some flexibility built in to accommodate the students' individual schedules (we sometimes forget that students have other courses and even personal lives outside of our classes) and with respect for mine (I have a life too).

In about 30 minutes we thus jointly created a de-facto syllabus. There was no controversy, though the students were extremely surprised that they were being given such leeway in setting up the structure of the course. The course has ended, and so far no one has sued me or even complained about grades or course requirements. A few students missed some of their self-determined deadlines, but only by a few days, and they were profusely apologetic. The students came to class, discussed serious topics in a relaxed way, and wrote excellent papers on topics they chose for themselves and seemed really to care about. In fact, the end of the semester brought with it genuine sadness that we were going our separate ways. It really felt like a community, and the semester was one of the most enjoyable teaching experiences of my life.

Will this idyllic result occur every time? Probably not. When I speak about my experience with colleagues, I am asked what I would do if a student consistently missed deadlines or took advantage in some way of the flexibility and freedom I provided. I say I don't know. I would deal with such situations on an ad hoc, case-by-case basis, because each such case is likely to be caused by factors unique to that individual student. Tolstoy's famous opening line in Anna Karenina that "all happy families resemble one another, but each unhappy family is unhappy in its own way" applies to students too.

By devising complex general rules to cope with any and all anticipated behavior, we tend to constrain, alienate, and dehumanize students, and we remove a great deal of the enjoyment from the learning experience. Surely students are like us in flourishing under conditions of freedom. Why is it that given the choice between creating a freer classroom atmosphere that risks the occasional problem and establish-
ing an authoritarian classroom that tries to anticipate and thwart any and all problems, we choose the latter? Surely creating learning conditions that benefit almost all students should be preferred to those aimed at protecting ourselves against the occasional malcontent.

The syllabus has also become a defensive shield against grade complaints. It is rare that students will complain directly to the professor that they did not learn much in the course. They might make this serious charge to their peers, but complaints to teachers are almost always about grades or other sanctions. The formal written syllabus, with all the lists of things that students must and must not do and highly detailed grading schemes that outline how students are to be evaluated, is the teacher’s pre-emptive strike against such complaints.

At some level, we know that grading is an art, not a science. We should come to our judgments with great care and all the expertise, objectivity, and honesty we can muster, but they are judgments nonetheless. Elaborate grading schemes merely create an illusion of objectivity and hide that judgment under a shroud of numbers. If a student complains, the syllabus with its formulas can provide a spurious precision that can mute criticism. We can sigh regretfully and tell the student: “You needed to get an 80 to get a B and unfortunately you scored only 78.6.”

Complex and precise grading schemes remind me of the highly dramatic ritual that occurs in football games if there is doubt as to whether the ball has been advanced the required 10 yards. A hush falls on the stadium as the game is halted and two officials are called from the sidelines to carefully place the 10-yard chains on the field. The referee then signals that either the effort to advance the ball 10 yards has failed by a few inches or has just barely succeeded. That this is an elaborate farce can be appreciated by noting that where the hall is spotted at the end of the play is only a rough approximation, as are the estimations of the starting point and of the distances advanced in previous plays. But the players and fans accept the result unquestioningly, cowed by the solemnity of the ritual.

The research of Patricia King and Karen Strohm Kitchener, summarized in their book Developing Reflective Judgment, indicates that our incoming college students tend to be largely pre-reflective in their thinking. They view knowledge in black/white, right/wrong terms, and colleges do not do particularly well in nudging them to take a more nuanced view of knowledge or in teaching them how to weigh evidence and arguments in order to arrive at reasoned judgments. When we try to hide the role that judgment makes in our own decisions, we may be inadvertently reinforcing their low-level view of knowledge.

If we dispense with the authoritarian syllabus as a weapon, then the challenge for teachers is to give students confidence that we have the competence to make judgments about their performance, that we have meaningful criteria for doing so, that our assessments are meaningful measures of important learning, and that we have the impartiality to make honest judgments. This is a harder task than creating a watertight syllabus, primarily because it requires a change in mindset on the part of teachers. But in the long run it results in a much more rewarding experience for both teachers and students.

If we are not to be adversaries in the classroom, then what is the appropriate relationship between teachers and students? As I see it, it is that of good neighbors in a small community. The classroom works best when students and teachers perceive it as a place where there is a continuing conversation among interested people, similar to what one might have with neighbors and friends. A sense of community is not created by rules and laws but by a sense of mutual respect and tolerance. Good neighborliness cannot be legislated—it can only be learned by example and experience, and it flourishes in an atmosphere of trust and acceptance of differences.

Can we recover the ideal of the classroom as a collegial conversation among faculty and students where the role of the instructor is to provide the insight that experience and expertise provides, without invoking the institutional power vested in us to coerce students? Or have we gone too far down the path of authoritarian, adversarial classrooms to regain that level of trust, assuming we did have it at some point?

When I tell people of my attempts to create a freer classroom atmosphere, I am reminded of those political discussions in which the future of this or that authoritarian country is discussed, and the question is raised as to whether the people of that country are “ready for democracy.”

I am asked, are students mature enough to deal with such freedom responsibly? Will they take advantage of the situation to not do any serious work? Might they even sue because the teacher did something that was not in the syllabus? All these things might happen, but this is a chance that I have to take. The possibility that my students may not be ready for democracy worries me a little, but the thought that they should be ready for and accepting of authoritarianism troubles me a great deal more.

I am looking forward to teaching the seminar again. And once more I will start without a syllabus.

RESOURCES
