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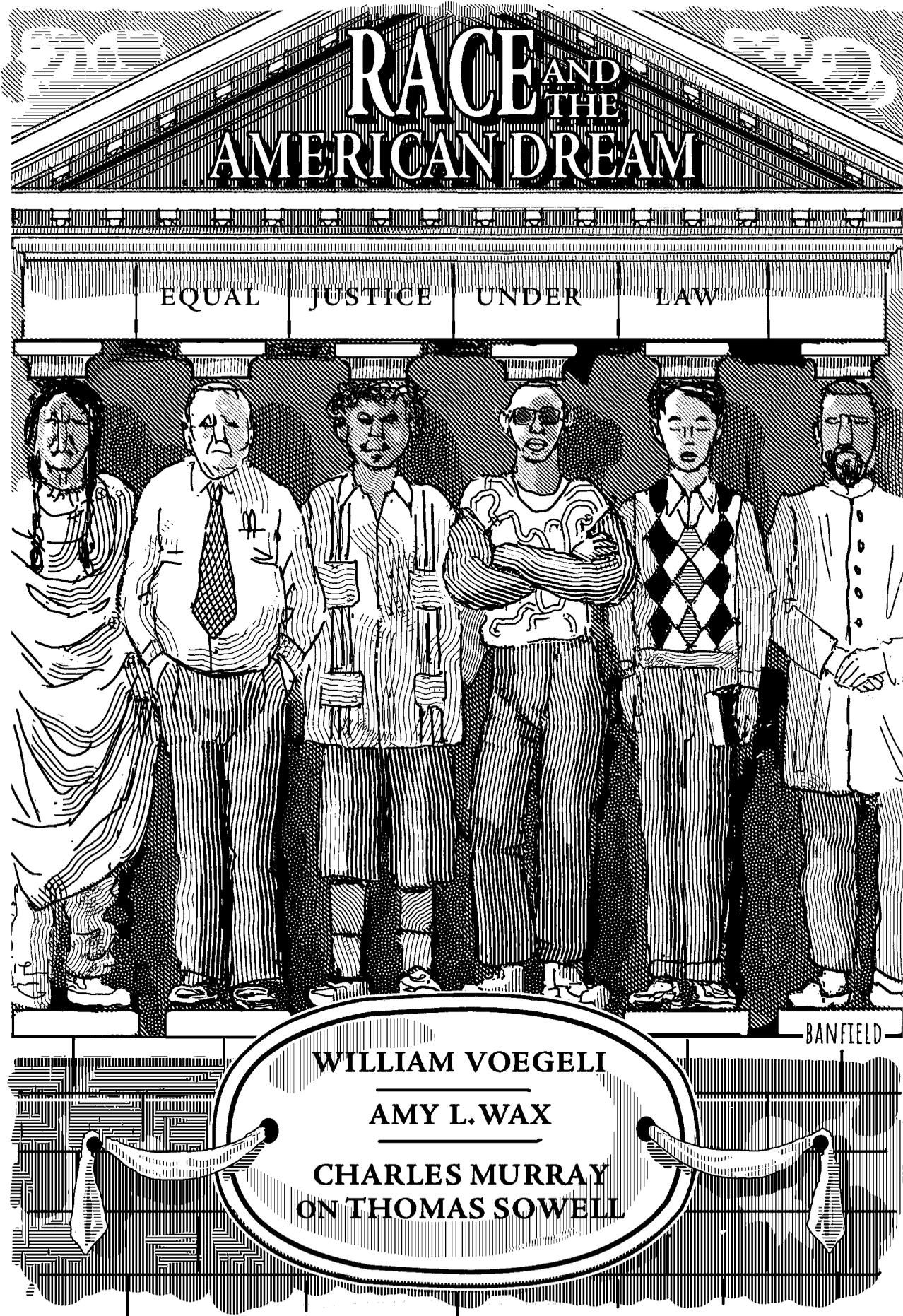
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What Academic Freedom Is For

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Tucker Carlson

Gordon S. Wood:
Andrew Roberts's George III

Christopher Flannery:
Lincoln's 1619 Project

Helen Andrews:
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VDH's Dying Citizen

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Poland Against Progressivism

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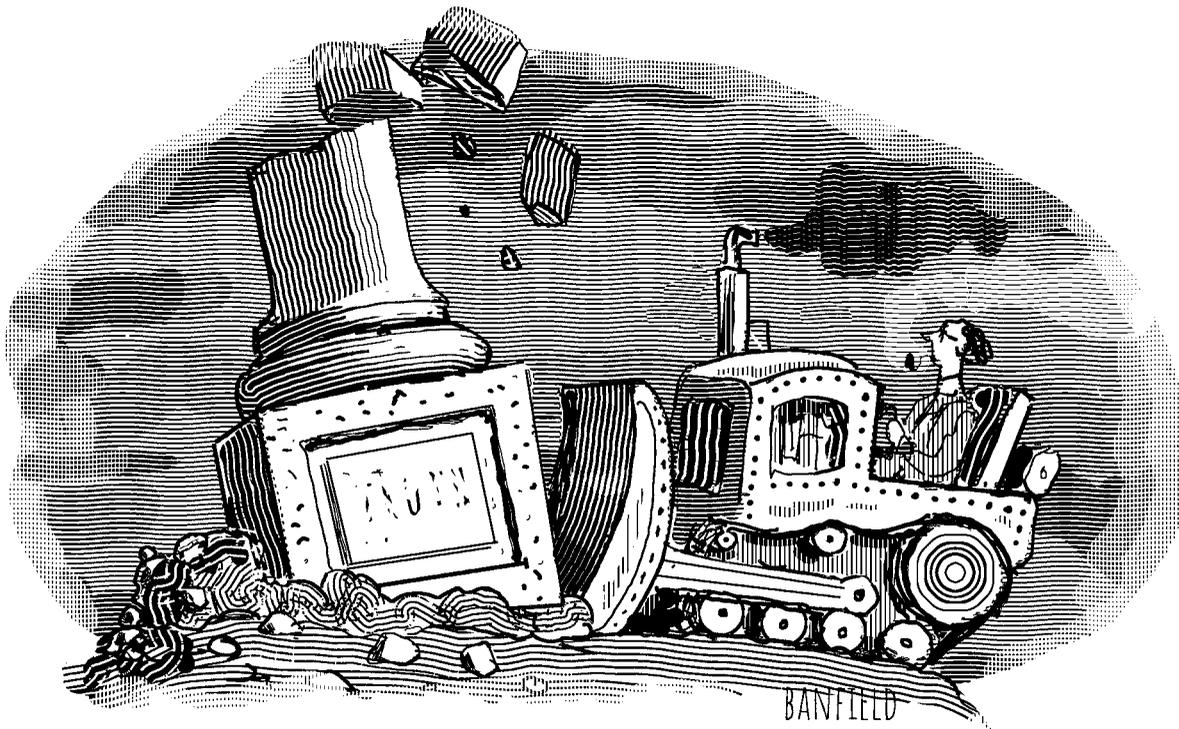
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Essay by Nate Hochman

WHAT ACADEMIC FREEDOM IS FOR

And why conservatives have changed their answer.



IN 1950, LIONEL TRILLING OBSERVED THAT “[i]n the United States at this time liberalism is not only the dominant but even the sole intellectual tradition...there are no conservative or reactionary ideas in general circulation.” Just a year later, this comfortable liberal consensus was shattered with the publication of William F. Buckley, Jr.’s first book, *God and Man at Yale*. In his witty, polemical tone, the 25-year-old took aim at the high priesthood of elite liberalism, casting many of the nation’s leading academics as ideologues and charlatans. In so doing, Buckley fired the shot heard ’round the world in the culture war over the American university. “The significance of *God and Man at Yale*,” wrote George H. Nash, “was both immediate and enormous.” Lee Edwards went further: “The publication of *God and Man at Yale* marked the birth of the modern American conservative movement.”

But despite its preeminence in the pantheon of American conservatism, the book’s central thesis seems to have been forgotten. *God and Man at Yale* is subtitled *The Superstitions of “Academic Freedom,”* describing it as “that handy slogan that is constantly wielded to bludgeon into impotence numberless citizens who waste away with frustration as they view in their children and in their children’s children the results of *laissez-faire* education.”

Buckley was profoundly skeptical of the Yale faculty’s claims to value-neutral open-mindedness and tolerance. Rather than a serious, coherent vision of free inquiry, he argued, “academic freedom” was invoked by professors and administrators to insulate themselves from accountability and smuggle in left-wing biases under the pretense of viewpoint neutrality.

Further, the predominant “classical liberal” conception of education as a disinterested or neutral kind of intellectual inquiry was, wrote Buckley, a “total abdication of responsibility” in the fight to defend the principles of the West:

I hasten to dissociate myself from the school of thought, largely staffed by conservatives, that believes teachers ought to be “at all times neutral.” Where values are concerned, effective teaching is difficult and stilted, if not impossible, in the context of neutrality; and further, I believe such a policy to be a lazy denial of educational responsibility.

The prevalent understanding of the university among today’s Right stands in stark contrast to Buckley’s. Hoover Institution fellow Richard Epstein approvingly describes the well-run university as “a common carrier that takes all customers so long as they obey

the standard rules against disruptive behavior.” This idea of education is often joined to a skepticism of permanent truth claims; as Epstein writes, “the discovery of truth is an ongoing process that often leads to the modification and rejection of the basic tenets of another age...[t]he principle of competition means that no point of view is privileged over anyone else’s.”

That was *not* Buckley’s view. *God and Man at Yale* called for “value inculcation” into an orthodoxy, and defense of Christianity and individualism as objective truths against the Communist challenges of atheism and collectivism. Conservatives have long been concerned about left-wing bias in higher education, but the movement’s most trenchant mid-century thinkers did not see the value-neutral “common carrier” view of education as a solution. “Truth can never win unless it is promulgated,” Buckley insisted. “The cause of truth must be championed, and it must be championed dynamically.”

To be sure, Buckley and his contemporaries did not reject the importance of free inquiry. “There is a great and decisive freedom to be found within the sense-making limits of orthodoxy,” wrote Buckley. Students should be afforded a wide range of liberty to investigate their most deeply held predilections within the confines of a university’s commitment to a



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Nonplussed by World Events?

ON AUTHORITY: A PHILOSOPHICAL DIALOGUE

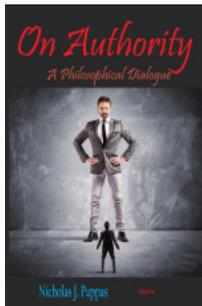
Nicholas J. Pappas, JD
202 pages \$19.95

We hear quite a lot from "authorities" these days, and often they contradict one another. How do we decide which ones to follow?

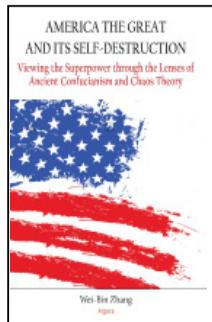
Authority may be based on power of intellect or power as the implied or direct threat of force. Sometimes, "authorities" have no obvious relevant qualifications.

How do such people capture our attention? Do they have a track record of being right, a reputation built on achievement, or are they simply charismatic or highly promoted?

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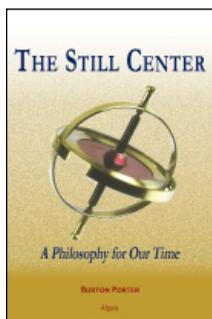
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certain understanding of the good. The problem, Buckley argued, was the modern *perversion* of free inquiry. In the old university, academic freedom was viewed as an intermediate good—a means by which to better understand doctrinal commitments. But the Yale faculty of Buckley's era weaponized the principle to demand liberation from an obligation to anything beyond themselves. In the hands of the liberal professoriate, the concept of academic freedom was transformed from the liberty to pursue truth to the license to teach lies.

Seven decades later, many conservatives have embraced a version of the value-neutrality that their forebears decried. Everywhere, one sees Epstein's "common carrier" invoked as a desperate plea for truce with the new academic regime. "There are no 'correct' answers to controversial issues, which is why they are controversial: scholars cannot agree," writes David Horowitz in *The Professors: The 101 Most Dangerous Academics in America* (2006). "Answers to such questions are inherently subjective and opinion-based and teachers should not use their authority in the classroom to force students to adopt their positions. To do so is not education but indoctrination."

But if there are "no 'correct' answers to controversial issues," why study them at all? The proposition that all men are created equal is a subject of fierce disagreement; does that mean Thomas Jefferson was wrong to call it a self-evident truth? To paraphrase Calvin Coolidge, some truths are final. They are applicable to all men and all times, today and *in all coming days*—no less so when they are controversial than when they are widely accepted.

It would likely strike Buckley as odd that the modern conservative movement rails against left-wing campus "orthodoxy" and "indoctrination," in lieu of offering a substantive alternative vision of the life of the mind. Some of this is a direct response to the campus Left's authoritarian shift. Conservative champions of campus free speech are fighting to defend what little space they have left in the academy. But the widespread acceptance of what Harry V. Jaffa derided as a "blankly unarticulated universe" acquiesces to a number of progressive presuppositions under the pretense of disinterested tolerance. Moreover, it is a radical departure from the traditional conservative understanding of the place and purpose of academic freedom.

Battle Cry of Freedom

EARLY IN 1915 JOHN DEWEY ORGANIZED a meeting in New York with 13 fellow academics. Incensed by a slate of recent dismissals of professors across academia, the

small group formed what would come to be known as the American Association of University Professors (AAUP). Under Dewey's leadership, the AAUP quickly became the foremost institutional authority on academic freedom in American higher education. "In the earlier stages of a nation's intellectual development, the chief concern of educational institutions is to train the growing generation and to diffuse the already accepted knowledge," its founders wrote in their mission statement. "It is only slowly that there comes to be provided in the highest institutions of learning the opportunity for the gradual wresting from nature of her intimate secrets.... In all of these domains of knowledge, the first condition of progress is complete and unlimited freedom to pursue inquiry and publish its results." The initiative exploded in popularity; in its first six months, the AAUP's list of chartered membership went from 14 to upward of 900.

Historian Walter Metzger described the group's Declaration of Principles as "the philosophical birth cry" of academic freedom in America. Indeed, many modern conservatives have accepted the document's credibility on the issue. But the Declaration brims over with the language of early progressive social science: its authors conceive of the university as a politicized, activist entity dedicated to training "experts" well-versed in "technical knowledge" to "advise both legislators and administrators" in guiding society toward a more enlightened future. "No person of intelligence believes that all of our political problems have been solved, or that the final stage of social evolution has been reached," the manifesto declares. "Grave issues in the adjustment of men's social and economic relations are certain to call for settlement in the years that are to come."

For the AAUP, academic freedom was not a tool to apprehend timeless truths but an exercise in value-neutral, scientific "disinterestedness." It was not concerned with studying the "already accepted knowledge" of the past so much as liberating humanity from traditional orthodoxies. This attitude reflected the intellectual energy of the time. Charles A. Beard's 1917 letter of resignation to Columbia—another influential statement on academic freedom—indicted the college's trustees for being "reactionary and visionless in politics, and narrow and medieval in religion," burdening academia with their parochialism "on the threshold of an era which will call for all the emancipated thinking that America can command." For intellectuals like Beard and Dewey, academic freedom was explicitly liberalizing; its purpose was to free progressive reformers from what Dewey described in his essay "Academic Freedom" (1902) as the

“deep-rooted prejudice and intense emotional reaction” that characterized the conservative norms of the day.

In contrast to the traditional view of free inquiry as embedded in—and limited by—external truths, the left-wing “academic freedomites,” as Buckley dubbed them, drew from a distinct liberal tradition of thought traceable to Enlightenment and later theorists like John Stuart Mill. Just as Dewey saw academic freedom as a means to dismantle old prejudices, Mill proposed an unregulated “marketplace of ideas” in which an “absolute freedom of opinion” would produce truth through a utilitarian process of challenging and revising orthodoxies. Academic freedom, for Mill, required a suspicion of all inherited traditions of thought; progress could only be made in the absence of what he described as the “despotism of custom.”

This liberationist orientation toward free speech used to be regarded with suspicion by conservatives. But today, it is conservatives who are prone to approving citations of Mill—and progressives who are the preeminent skeptics of liberal neutrality. Ironically, the postmodern Left’s criticisms of liberal neutrality sound more like Buckley than many of his contemporary conservative counterparts. “The notion of ideas competing with each other, with truth and goodness emerging victorious from the competition, has proven seriously deficient when applied to evils, like racism, that are deeply inscribed in the culture,” wrote professors Richard Delgado and Jean Stefancic, authors of the leading textbook on critical race theory, in an influential 1992 essay for the *Cornell Law Review*.

In stark departure from Buckley’s position, many conservatives now see recovery of the AAUP’s founding principles as the best path to renewing freedom of speech and thought in higher education. Horowitz, for example, cites the “sound doctrine and common sense” of the organization’s charter as the basis for his “Academic Bill of Rights,” a set of proposed reforms in higher education that he says is “entirely composed of the academic freedom principles laid down in the 1915 Declaration.” These principles, he regrets, “have been increasingly disregarded by faculty and rarely enforced by administrators.” Echoing the sentiment, former American Council of Trustees and Alumni president Anne Neal mourns that “the AAUP’s founding conception of academic freedom is out of favor today. The disinterested search for truth has been supplanted by the belief that there is no truth.”

A long rearguard action has reduced conservatives in the academy to defending the achievements of the past era’s progressives. Many otherwise thoughtful academics are

entranced by the possibility that university bureaucrats might coexist with the Right—so long as the Right moves left on the issue of academic freedom. But academia cannot be recovered by embracing the initial cause of its degradation. A disbelief in truth is not a betrayal, but the inevitable *conclusion* of that “disinterested” pedagogy that Neal lauded. The American university’s decline did not begin with our departure from liberal academic freedom; it began with our embrace of it.

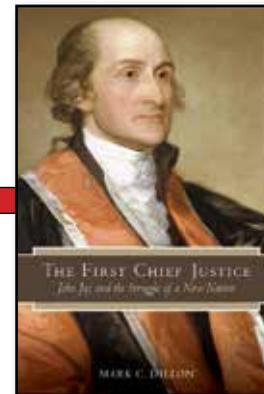
Openness and Conformity

A TRUE EDUCATION IS AN INTELLECTUAL adventure, occurring against the backdrop of a vast range and variety of voices that collectively illuminate the possibilities of the human condition. But no seasoned explorer enters the wilderness without his compass. Insofar as there is a “conservative” alternative to the predominant liberal understanding of academic freedom, it is as cognizant of its limitations as it is of its liberties. This kind of academic freedom is organized around a frequent recurrence to fundamental principles—and bound by an unapologetic commitment to truth.

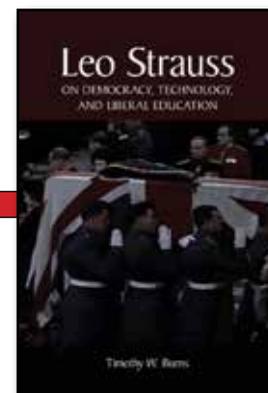
Conservatives have long understood that orthodoxy is a defense against chaos—a line between civilization and anarchy. Willmoore Kendall, Buckley’s teacher at Yale and main intellectual inspiration for *God and Man at Yale*, vigorously defended the importance of “public orthodoxy.” A society that opened itself up to debates over its most basic and foundational commitments, he wrote, would “abolish itself, commit suicide, terminate its existence as the kind of society it has hitherto understood itself to be.” Kendall saw a dangerous and destructive impulse in Mill’s view of free expression. “The essence of Mill’s freedom of speech is the divorce of the right to speak from the duties correlative to the right; the right to speak is a right to speak *ad nauseam*, and with impunity,” he argued in his 1960 essay “The ‘Open Society’ and Its Fallacies.” “It is shot through and through with the egalitarian overtones of the French Revolution, which are as different from the measured aristocratic overtones of the pursuit of truth by discussion, as understood by the tradition Mill was attacking, as philosophy is different from phosphorus.”

Mill’s skepticism is the antithesis of freedom; it is a civilizational toxin that undermines the very possibility of productive deliberation and debate, descending, continued Kendall, “into ever-deepening *differences of opinion*, into progressive breakdown of those common premises upon which alone a society can conduct its affairs by discussion, and so

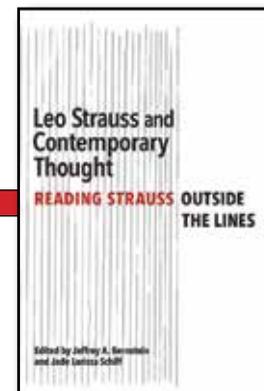
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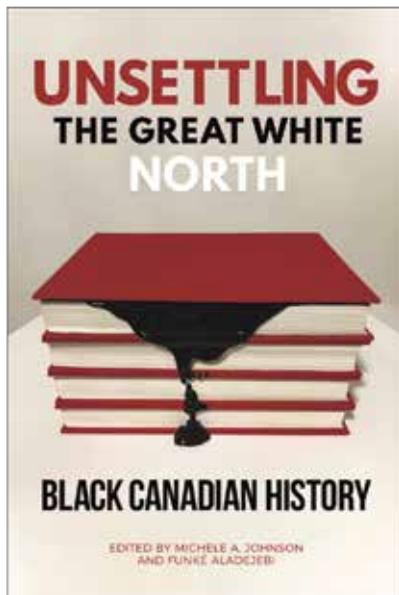
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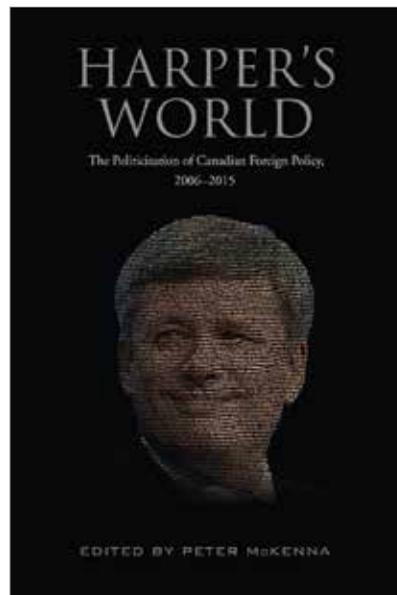
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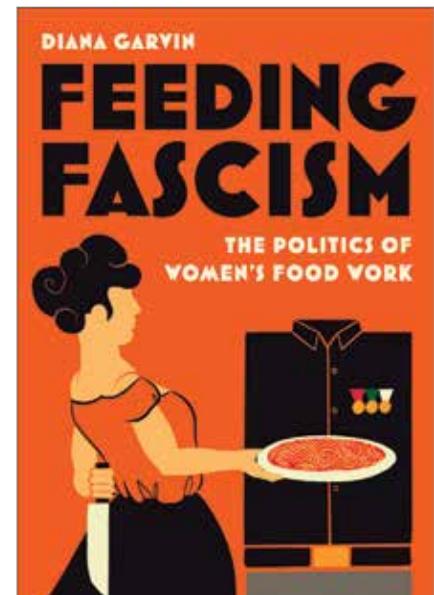
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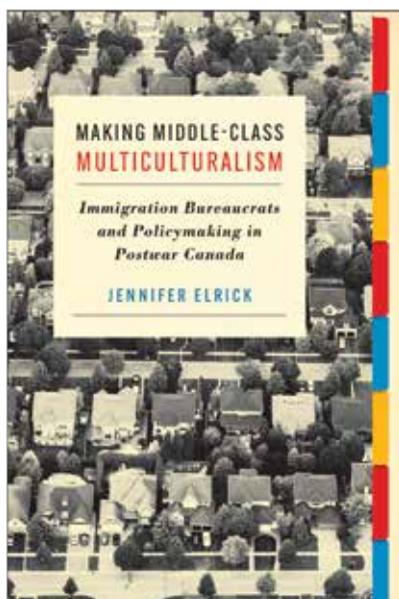
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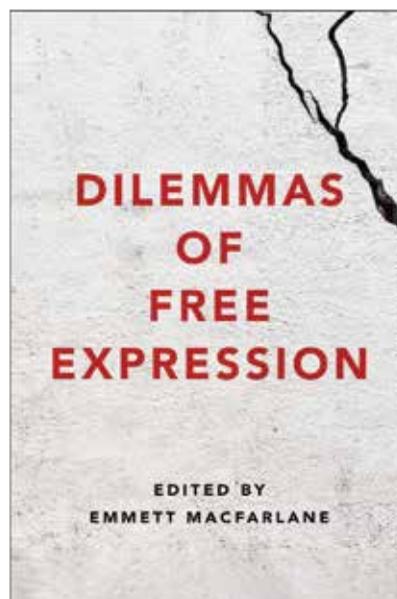
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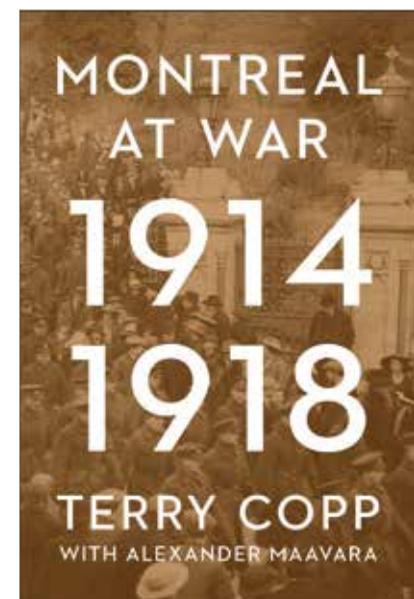
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into the abandonment of the discussion process and the arbitrament of public questions by violence and civil war” (emphasis in the original). Kendall saw the seeds of today’s woke totalitarianism in the milquetoast relativism of a flat, absolutist tolerance: if all opinions are equally valuable, he queried, then “what difference does it make if one, particularly one not our own, gets suppressed?”

Kendall was hardly the only conservative to express this view. M. Stanton Evans’s *Revolt on the Campus* (1961) criticized prevailing notions of academic freedom as a “guise” in which “[l]iberal doctrine has, over the years, been implanted in the minds of American students.” Like Kendall, Evans drew a connection between a posture of absolute openness and inevitable demands for statist conformity; like Buckley, he argued that “academic freedom” was almost exclusively invoked to protect leftists, extending rights and protections to Communists that were “pointedly withheld from conservative dissenters.”

These conservative critics of higher education were unified in their suspicion of the liberal academic program. Even though *God and Man at Yale* and *Revolt on the Campus* differed in their prescriptive alternatives, Evans maintained that his understanding of liberal education was in line with “the main thrust” of Buckley’s thesis. “For what Buckley demonstrates,” he wrote, “is that free inquiry is precisely what we do *not* have now on American campuses. Instead, we have a machine for molding students into acceptance of Liberal values.” Recovering the academy would require recovering a more authentic understanding of free inquiry. Freedom of speech and inquiry have a purpose, wrote Evans: to “perceive and defend” the “values of the West.” A serious education will “order thought” and “marshal conviction” toward those ends—a sharp break with the value-neutral conception of the examined life as an apprenticeship in directionless skepticism.

A conservative academic freedom understands itself as contingent upon the human capacity to reason, which reflects the coherent and knowable natural order. The existence of truth remains the only legitimate basis for free inquiry—in the words of Pope John Paul II’s *Ex Corde Ecclesiae*, academic freedom’s purpose is that “of *proclaiming the meaning of truth*, that fundamental value without which freedom, justice and human dignity are extinguished.” The best defenses of academic freedom in the American conservative tradition affirm the principle’s crucial importance, while also emphasizing its rootedness as a means by which to apprehend the good, the true, and the beautiful.

Academic Duties

RUSSELL KIRK, THE GODFATHER OF postwar American traditionalism, defended a robust freedom of scholarly inquiry as a way to insulate the academy from the intellectual and moral pollutants of day-to-day politics. But in his little-known book *Academic Freedom: An Essay in Definition* (1955) he also stressed that such freedom had a specific purpose: “to protect the teacher from hazards that tend to prevent him from meeting his obligations in the pursuit of truth.” Academic freedom is not an absolute entitlement; rather, its just exercise operates within the confines of pre-existing institutional obligations.

The notion of academic *duty* as an indispensable counterpart to academic *freedom* necessarily limits the exercise of the latter. Kirk outlined the specific nature of these limits: teachers were bound by “a loyalty to the moral order which transcends the foibles of human reason,” and were in violation of their duties if they endeavored “to subvert the foun-

The American university’s decline did not begin with our departure from liberal academic freedom; it began with our embrace of it.

dations of society” or “tamper with every prescriptive moral value.” Most fundamentally, he argued, “academic freedom may properly be restrained, in some degree, by the right of any society to ensure its own preservation.”

If academic freedom is the academy’s right, the transmission of truth is its corresponding duty. At the same time, “the community did not create these privileges of the Academy, any more than the community created wisdom,” Kirk wrote. “Rather, the community recognized the justice of the Academy’s claim to privilege.” In this sense, academic freedom’s highest purpose is the pursuit of truth as an end in itself. Engaging in this pursuit must necessarily situate the academy a step outside the community’s purview. “Truth is not always popular in the marketplace, and there are opinions and fields of speculation that cannot prudently be discussed in the daily press or in the public meetings,” Kirk argued.

Though Buckley, Kendall, Evans, and Kirk differed on the scope of legitimate claims to academic freedom, all agreed that those claims had a *limit*—that free inquiry was more

than just an open invitation to licentiousness. Nothing in this conception neglects the importance of studying and debating a wide diversity of viewpoints. To the contrary, it recognizes that the examination of heterodox or controversial opinions is a means to an end. Traditional free inquiry aims to apprehend and better know the Permanent Things, as Kirk called them, which preempt the exercise of freedom itself. Virtuous education seeks to liberate students from ignorance and enslavement to their basest instincts; it does not seek to liberate them from the constraints of moral law. University life is not a therapeutic exercise in “validating” the “experiences” of members of a particular marginalized group, nor an effort to “create a home,” as the mob of students who accosted Yale professor Nicholas Christakis in 2015 claimed. Students do not construct their own realities; there is no “my” truth or “your” truth—only *the* truth.

The Right was traditionally cognizant of the practical limits that this understanding imposes on academic freedom. Republican lawmakers at both the state and federal levels had a low tolerance for the student uprisings of the 1960s: conservative congressmen threatened to defund universities whose administrators tolerated disruptive political activities, and state legislatures across the country passed laws to punish activist-led chaos with academic suspension or expulsion. As Republicans from Richard Nixon to Ronald Reagan understood, the era’s militant disruptions were a *subversion*, not a legitimate exercise, of academic freedom. It is no coincidence that Evans and Buckley fought to defend the “loyalty oath” and “disclaimer affidavit” sections of the National Defense Education Act, which required that faculty take oaths of loyalty to the United States and against Communism. These provisions—a prominent *bête noire* of left-wing academics—were entirely consistent with the conservative understanding of free inquiry. As Buckley and Evans understood, a debasement of the university’s core commitments would undermine the very foundations of the freedom that the radicals claimed as cover.

Rooted in the Truth

TODAY’S RIGHT IS WOEFULLY ILL-PREPARED to recover authentic academic freedom. The ethos of its thinking is embodied in the Campus Free Speech Act (CFSA), a popular 2017 reform proposal from the conservative Goldwater Institute which “reaffirms the principle that universities...ought to remain neutral on issues of public controversy.” The CFSA, which has



been adopted and signed into law by a slate of red-state legislatures, mentions “free expression” 65 times and “free speech” another 36. But save for a short paragraph about the importance of due-process rights for students who violate speech codes, there is no mention of the word “truth.”

We’ve forgotten what academic freedom is *for*. Distinctions between right and wrong are subjugated to “ideological diversity”; would-be reformers muse about making political affiliation a protected class to end “discrimination” against conservatives; educational institutions are judged by their tolerance of unpopular opinions rather than their capacity to facilitate the pursuit of truth; free speech is privileged over the formation of character. We rightly laud the free and open exchange of ideas as a good, but we rarely stop to consider why.

Strategically speaking, none of this is likely to work in the long term. As Buckley observed, the widespread embrace of academic freedom *accelerated* the Right’s marginalization and eventual excommunication from the academic mainstream. Having broken the link between order and liberty, disinterested or neutral liberal academic freedom inevitably descends into the kind of anarcho-tyranny we see on campus today. If knowledge has no end save for its momentary use in service to the march of progress, and no validity beyond the particular social contexts in which it occurs, then truth is not ascertained but asserted, and principles are replaced with the exercise of power.

Having done away, in the name of tolerance and openness, with any firm ground of conviction, the meek, self-conscious liberalism of Buckley’s Yale stood little chance against the radical fervor that replaced it. The mid-century academy lacked the will to defend itself against the New Left, whose revolutionary vanguard quickly moved from the licentious demands of the 1964 Free Speech Movement to the openly censorious diktats of Herbert Marcuse’s essay “Repressive Tolerance” (1965).

Mills’s liberalism, of course, is infinitely preferable to its successor ideology. But the state of the modern university is the logical conclusion of value-neutral thinking. Neutrality and disinterestedness were only ever waypoints for the Left’s long march through the university. “Ours was the generation that took over buildings in the late 1960’s,” Harvard professor Henry Louis Gates, Jr., wrote in a 1989 essay for the *New York Times*. “Now, like the return of the repressed, [we have] come back to challenge the traditional curriculum.”

The liberal reversal on free inquiry is the result of fundamental flaws in its understanding of freedom. As Kendall wrote in his critique of Mill, there is no “surer prescription for arriving, willy nilly, in spite of ourselves, at the closed society, than is involved in current pleas for the open society.” In contrast, the Right’s leftward move on the issue is in part simply a defensive crouch in the face of woke academia’s continued advances. But there are also longer-standing issues with the conservative movement’s conception of liberal education, dating back to *God and Man at Yale*. A successful conservative agenda for academic renewal will need to engage with these defects.

God and Man at Yale’s diagnosis of academic freedom as a “superstition” remains relevant and timely, but its prescriptions are wanting. Rather than university deans and administrators, Buckley suggested that Yale’s academic and curricular decisions should be beholden to the school’s trustees and alumni donors. That argument—“academic freedom must mean the freedom of men and women to supervise the educational activities and aims of the schools they oversee and support,” Buckley wrote—seems to deny the possibility that liberal learning could possess any value beyond its market-determined price, subjugating the pursuit of truth to the whims of consumers and investors.

Buckley’s reasoning was primarily economic: “Every citizen in a free economy, no matter the wares that he plies, must defer to the sovereignty of the consumer.” But all wares are not made equal—truth, beauty, and goodness are not cheap toys imported from Chinese sweatshops. To accept Buckley’s framework is to embrace a relativism of our own. In this sense, *God and Man at Yale*’s appeal to the cold logic of market mechanisms merely replaced one shallow “freedom”—that of left-liberal neutrality—with another.

Justice is more than the autonomy of the individual *homo economicus*. Many in the conservative movement fail to grasp this; the modern conservative worldview, formed as it was by its opposition to global Communism, has always been heavily informed by free-market economic thinking. But especially now, when powerful business interests seem increasingly aligned with the forces of radical social transformation, conservatives need a more robust understanding of liberal education—and of freedom—than that on offer from *God and Man at Yale*.

In a review of Kirk’s book on academic freedom, Buckley criticized his friend for making a “major analytical blunder” in “blandly assum[ing] that all teachers are scholars engaged in searching out truth.” There is un-

doubtedly a serious point here—any kind of freedom, not least academic freedom, will empower charlatans from time to time. Universities that enjoy taxpayer funding should not be immune from public accountability and oversight. But if the academy is to adequately perform the function conservatives claim we want it to, it must be capable of standing beyond the momentary whims of public opinion.

A better understanding of the importance and limits of academic freedom is a precondition to the renewal of academic life. To survive at all, those engaged in preserving small spaces for genuine scholarly inquiry within universities must recognize that their first obligation is to a timeless truth; if they settle for marrying the spirit of this age, they will be widows in the next. Perhaps more importantly, the resurgence of institutions committed to a traditional vision of liberal learning—from classical high schools to universities like Hillsdale—must not be drawn into the licentiousness that undermined their mainstream counterparts. And they must not be partisan. Authentic liberal learning speaks to something deeper in the human soul than that which modern politics can offer.

Political interventions do still have a place in academia—the degraded character of American education cries out for radical reforms. The bloated academic bureaucracy is a parasite on our universities; its interests are diametrically opposed to those of genuine free inquiry. The only thing preventing a conservative offensive against this class of administrators are the remnants of the fever dream of neutrality. In such debates, many conservatives remain convinced that the progressive principles they defend are actually conservative ones—as David French recently wrote, the slate of new laws banning critical race theory are an example of “how the Trumpian revolution continues to devour the principles of American conservatism.” The kind of “academic freedom” that resists bans on critical race theory is a lot of things; “conservative” is not one of them.

But subsequent efforts to rebuild a liberal arts education worthy of the title, both within and outside existing legacy institutions, will require an understanding of freedom that is more robust than either Mill’s open-endedness or Buckley’s economic utilitarianism. The alternative to the hyper-moralistic totalitarianism of woke campus orthodoxy is not the absence of any moral commitments whatsoever. Rebellion to tyrants is obedience to God—but so is fidelity to truth.

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