Universities, Democracy, and Academic Freedom: Definitions and Intersections

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The University of Kansas (KU) Mellon-Sawyer Seminar, *Navigating Academic Freedom and Democracy on a Public University Campus in America's Heartland,* is being undertaken during a time when the place and purpose of higher education in relation to democracy is being called into question. This white paper attempts to lay the foundation for navigating our understanding of academic freedom and democracy in relation to the many-sided functions and critiques of higher education. In doing so, it provides an overview of definitions and tensions relative to such critical concepts as academic freedom, free speech, and higher education's role within liberal democracy from both a historical and contemporary basis.

Those reading this white paper for the opening session of the Mellon-Sawyer Seminar are invited to consider the following questions that will be used to shape the discussion. These questions include:

Does a "social contract" between higher education and democratic societies and states exist? Are Humboldt's three ideals still salient and defensible?

Are the gaps between the ideals of higher education and the tangible practices and outcomes of higher education too large to overcome? Can and should a rigorous defense of higher education be mounted?

How critical is it to give credence to all five different critiques of higher education outlined in this white paper? What are the criteria to be used to judge their credibility?

How and to what extent is "academic freedom" a viable expression of higher education's social contract with democratic states and societies? Do the inherent differences between definitions of academic freedom summarized here make it impossible to agree on a form of academic freedom that appeals to those across ideological divides?

What happens when the social contract between higher education and democratic societies and states is broken? Re-written?

What can an institution like the University of Kansas do to safeguard its social contract with Kansans and the officials they elect to represent them?

Higher Education's Role in Liberal Democracies[1]

There exists an implied social contract between higher education institutions and democratic societies and states. However, the terms of the contract are often not clear and are subject to political pressures, changes in public sentiment, and changes in economic conditions. The concept of "academic freedom" has emerged as a tenuous contractual device for higher education institutions operating in liberal democracies. In order to understand this tenuous terrain it is critical to examine the evolving functions of higher education and with it, both idealized and critical perceptions of higher education.

Considered in their idealized state, universities and colleges may profess a shared commitment to teaching fundamental truths undertaken under specific conditions of institutional autonomy. Advocates of higher education claim that the sector creates and conveys not only disciplinary knowledge stemming from the liberal arts, the natural and social sciences, engineering, business, law, medicine, social work, policy and public administration, but has been recognized to carry out certain socializing functions, not the least among them, to prepare students for life. Such preparation ideally includes the cultivation and practice of civic virtues, refinement of critical thinking skills, and in the acquisition of knowledge and credentials in specific areas of specializations that, increasingly, lead to some specific career paths. These defining traits long predate modern democracy, emerging instead from medieval and early modern churches, monarchies, empires, city-states, and commercial republics (Shils 1989, 425).

In the United States, universities and colleges have long been understood as playing a specific civic and educational role by helping to prepare graduates to be critical-thinking citizens. Both Thomsas Jefferson and Benjamin Franklin were keen on the importance of a well-informed and educated citizenry and sought to establish the Universities of Virginia and Pennsylvania based on this premise (Harkavy et al. 2020). While their visions of higher education were restricted to landed, white male elites, this ideal was eventually extended to other classes, women, and people of color as the rights and privileges of citizenship were expanded to them. Arguably, the tension between educating for citizenship and critical thinking more broadly and accusations of indoctrination within particular political ideologies have never been as salient as they are today.

While the role of higher education in fueling progress and shaping modernity has been both celebrated and summarily dismissed as advancing the colonialist dominance of western culture (Said 1978), it is hard to argue that modern universities and colleges have *not* played a critical role in knowledge production, invention, and discoveries leading to innovation. Stemming from progressive era reforms at the turn of the last century seeking to harness science for the common good, higher education has increasingly been understood as a vehicle for problem-solving and an essential feature of democratic societies, a notion robustly advanced by John Dewey, arguably the foremost American philosopher of the twentieth century. As a result, higher education

[1] A definition of a "liberal democracy" is provided here as a relationship between a state and a society based on a social contract predicated on the centrality of citizen authority, protection and advancement of liberty and individual rights, checks on the concentration of power, the practice of tolerance, and appeals to reason, science, and evidenced-based decision making. The social contract of liberal democracies is reified in liberal constitutions and the adherence to a set of consistent political norms and standards.

institutions can serve as partners with democratic governments, industry, and civil society—conducting research, undertaking evaluations and assessment, and engaging in scientific discovery for research and development (Harkavy et al. 2020).

The rise of historically black and minority-serving colleges and universities, the establishment of the land grant mission, community colleges, regional colleges, and the GI Bill, and the like have been linked to extending higher education to larger segments of society. The extent to which these efforts have achieved such claims, however, has been subject to debate and contestation, as, for instance, in more recent critiques of the land grant "land grab" from indigenous communities (McCoy et al. 2021) and the persistence of lower status and prestige of certain tiers of higher education institutions, thereby reinforcing the reproduction of cultural norms and class status (Bourdieu [1973] 2018).

Modern universities and colleges are reflective of the structural and functional conditions that exist in the wider society (Darian-Smith 2025, 31-32). In democratic societies, they serve as contested spaces in which core values, norms, and standards are vetted, put into practice, and contested. In times of crisis, transition, and revolution, they have been the focus of state censorship and control, all the while serving as spaces allowing for public protest and expressions of dissent. Because they serve as primary sites for the exchange of ideas, the role of college campuses as spaces for both *safe* and *public* democratic dialogue, deliberation, and protest has always been hotly contested. However, the ability of universities and colleges to protect the "academic freedom" of their students and faculty has, arguably, never been as salient and subject to deep debate and disagreement as in the contemporary moment.

Since the first formal establishment of what we have come to know as the modern university or college, they have been subject to imposition by political and religious leaders of the times (Darian-Smith 2025, 15). These early conflicts concerned the teaching of canon that aligned with Church doctrine, with the first early scholars of European colleges often scrutinized for their fidelity to Church teachings. Heretics were ousted, shunned, or, in the worst cases, killed if they strayed from that doctrine (Robertson 2021). These conditions began to change during a period that has now become known as the Enlightenment, roughly between 1680 and 1790 C.E. (Robertson 2021). This was a time of extensive evolution in how people understood concepts like the social contract, individual liberty, tolerance of societal outliers, the pursuit of reason through science, rigorous observations of lived experience, and concrete designs of government, such as checks on power, the application of reason to the running of government, and the role that citizens play in their own self-governance. Universities and colleges began to be conceived as existing within a wider "social contract" with the state and society. The roots of social contract theory can be found in the works of Thomas Hobbes, John Locke, and Jean Jacques Rousseau. For Hobbes, the social contract existing between and people and its government are unavoidable. For Locke, the social contract give shape to the basis of a form of cooperation based in reason and sound judgment. For Rousseau, the social contract is an expression of shared values and community consensus (Jos 2005, 140). Arguably, all there approaches to the social control are in play in relation to higher education in liberal democracies. The state and

society grant universities “freedom and autonomy so that they, in turn, can benefit as much as possible from them (Krull and Brunotte 2021, as quoted in Reichman 2025, S21).[2]

European higher education institutions predate the birth of modern democracies. They were first set up to serve the Church, the Crown, or sometimes both. They were vehicles for passing on aristocratic privileges to the next generation. As the Protestant Reformation took hold, European universities began to take on functions once held by the Catholic Church by elevating individual and group material interests and playing a role in articulating higher ideals. Like churches before and alongside them, universities presented themselves as embodying objective values that stood apart from the preferences or ambitions of any particular social group (Shils 1989, 457). These universities served as spaces for the production and exchange of ideals, known at the time as “moral philosophy,” along with the teaching of Latin and the ancient classics. With the emergence of the scientific reasoning of Newton, Descartes, and Leibentz, the canon of moral philosophy moved beyond Aristotle and St. Augustine to include the social and legal writings of Hobbes, Locke, Rousseau, and Kant among many others.

Across the Atlantic Ocean during the early American colonial period, Harvard College, the University of Pennsylvania, and the College of New Jersey (now Princeton University) also served as institutions for educating the elite. They were not places to serve, “as exemplars or propagators of liberal ideals” (Shils 1989, 426)—this despite Benjamin Franklin’s vision for the University of Pennsylvania as a space for developing in students “an Inclination join’d with an Ability to serve Mankind, one’s Country, Friends and Family; which Ability … should indeed be the great Aim and End of all Learning” (Franklin 1749: 150-51; as quoted in Harkavy et al. 2020, 61).

Humboldt’s Ideals

The first systemic influence of liberalism[3] in European universities occurred with Wilhelm von Humboldt's memorandum on "the state of our learned institutions" which led to the founding of the University of Berlin in 1810. While it took almost of full century for these ideals to achieve some measure of saturation, the functional argument laid out in this memo wedded an emerging form of liberalism to higher education by distinguishing between three ideals that are still drawn on today to describe the contract used to govern universities and colleges in liberal democracies: the unity of research and teaching (*Einheit der Forschung und Lehre),* the freedom of teaching

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[2] It should be noted that this view of the Enlightenment has been substantially critiqued in much of the literature on higher education and anticolonialism (e.g. Said 1978), as imposing decidedly European and American values of individuals, freedoms, and checks and balances of power.

[3] It is important to note here that we will be talking about “liberalism” and “liberal” at two different levels. When denoted with a lower case “l” we are referring to a set of ideals, principles, and standards that are largely shared by those across the traditional left-right political spectrum of contemporary liberal democracies. In this context, both purveyors of politically Liberal and Conservative views consent to live under a common social contract. Throughout this white paper we will capitalize “L” when referring to political, partisan Liberals or Liberalism. And will also capitalize “C” for partisan Conservatives or Conservativism, and “P” for Progressivism (often understood as holding political views to the left of mainstream Liberals). When liberal or liberalism is presented using lower case “l” we are referring to the set of core standards of liberalism often associated with the Enlightenment and upheld by “conservative liberals” such as Edmund Burke and Friedrich Hayek.

and learning (*Freiheit der Lehre und des Lernens*), and the principle of academic self-government (*akademische Selbstverwaltung*) (Shils 1989, 427).[4]

Humboldt's ideals are worth considering more deeply here, as they lay the foundation for considering the relationship between higher education, democracy, and academic freedom of the contemporary era. The *unity of teaching and research* rooted instruction and curriculum in the pursuit of reason, the emergence of the scientific method and rigorous scholarly inquiry, and, ultimately, a form of empiricism found in the vigorous investigation of material reality. In this manner, the intersection of science as an institution and higher education became indelibly linked. And it is in this space that the prohibition of the use of science to make and refute truth claims and universalized assertions about the universe based on convenience, political appeal, or economic viability through exertion of state power becomes antithetical to liberal democratic values.

The *ideal of the freedom of teaching and learning* is rooted in the liberal ideal of individual rights and equality, in that anyone should be able to pursue higher education. In turn, the bestowal of autonomy on instructors, given the freedom of discretion to construct and deliver a curriculum, is paramount. But this freedom has its limits. In the pursuit of this freedom, the advancement of the scientific method, peer review, and a mastery of disciplinary fields and literature is necessary. Faculty are both disseminators of liberal ideals, but also constrained by these ideals in that they are always accountable to others associated with their discipline. This balancing act plays a central role in defining and interpreting academic freedom, a twentieth century invention that was deeply influenced by Humboldt's ideals around freedom, teaching, and learning.

The *ideal of academic self-governance* is rooted in the core assumptions of some contemporary views of academic freedom as well, but even more importantly, in the social contract that higher education has with democratic societies and states, as the production and conveyance of knowledge serves as the basis of higher education's social contract with society and state. Higher education as an institution (and its close association with science as an institution) is to be granted some measure of autonomy from state control. While no institution is completely free of a state's legal and economic powers, this autonomy largely allows for both universities and colleges and academic disciplines and fields to self-regulate, as is done in many other industries practicing some form of standard setting and internal accountability. While the sheer division of labor and the need for specialization calls for it, academic self-regulation is a key feature of the checked powers standard of liberal democracies. "One of the chief features of the liberal order is the autonomy of corporate bodies," asserts Edward Shills, adding that, "The autonomy of universities is consistent with the principles of liberalism and with the pattern of a liberal-democratic society" (Shils 1989, 435). Higher education produces public goods that benefit wider society. This can only occur when, "the production of academic knowledge is produced and governed, 'when scholars function as a self-regulating body that follows its own professional and intellectual norms'" (Scott 2019, 7 quoted in Darian-Smith 2025, 97).

[4] The University College London was the first modern liberal university in the UK that built on Humboldt's liberal ideals (Shils 1989, 428). Also inspired by Jeremy Bentham's philosophies and vision of social institutions, UCL became the first European college to offer a full suite of offerings open to non-noble classes.

The establishment of the National Academy of Sciences in 1863 in the United States followed the model of academic self-regulation first established by the Royal Society in 1660 in the United Kingdom. Both institutions served as manifestations of the ideal of liberal enlightenment "by proffering scientific advice to government on the basis of knowledge gained through scientific research" (Shils 1998, 434). This function builds on the long-standing role of higher education to train the next generation for leadership positions in government and industry (Shils 1989, 434). For higher education institutions to produce lasting contributions to the development of knowledge, a strong commitment to the standards of science (i.e. a universally understood scientific method) and scholarly inquiry more generally is required, as are the institutions of peer review, professional oversight, and self-regulation over each academic discipline or field. These scholarly disciplines and fields exist as international networks of scholars and researchers linked through professional associations, gatherings, and the academic journals for those pursuing knowledge in those specific disciplines and fields.

Higher Education's Role in Fostering Democracy

According to Ron Daniels, higher education institutions are "more intimately implicated in the enterprise of building and fostering liberal democracy than is typically acknowledged" (Daniels 2021, 4) because of the support they bring to some of the basic tenants of liberal democracies (Koliba 2025a). A brief summary of the democratic functions of higher education in meeting these standards are provided here:

- **Citizen authority:** Higher education plays a critical role in educating critically-thinking, well-informed citizens by exposing students to the arts and sciences, and to a life of pursuing a vocation.
- **Truth and reason:** Institutions of higher education serve as spaces for the practice of reasoning, logic, and applications of the scientific method. Disciplinary communities serve as keepers, incubators, and disseminators of knowledge (Koliba 2025b). In this capacity, higher education's role in liberal democracy has been to "introduce rationality and soundly based knowledge into the management of the affairs of society" (Shils 1989, 432).
- **Individual rights:** Attaining a higher education degree can lead to the empowerment of individuals through learning and the obtainment of credentials and fulfill the basis of education as a human right. In doing so, the pursuit of education can lead to the attainment of personal progress.
- **Tolerance:** University and college campuses serve as spaces for the free exchange of ideas, either in the context of a "marketplace of ideas" or as a space for diversity of identity and expression.
- **Checks on power:** Higher education as a sector, like any sector, can wield its own political power as a trade union. In fulfilling its educational mission, higher education also plays a critical role in educating well-informed citizens who, in turn, exert their authority over their elected representatives and democratic institutions.
- **Training for professional discretion:** Higher education prepares individuals for specialization as experts in specific fields who must adhere to peer review processes, professional standards, and socialization into their professions' codes of ethics.

The alignment of these standards with higher education's intellectual and practical ideals and, just as importantly, its actual practices, is predicated on the complicated relationship the sector has with the democratic state and the legal and financial powers that the state can wield.

Relationship Between Higher Education and the Democratic State

As noted earlier, the relationship between higher education and democratic states and societies forms the basis of a specific social contract. The social contract between higher education and the state and society calls for a measure of autonomy and independence for the academy to self-regulate. Ultimately, innovation and knowledge production across wide swaths of disciplines and fields are stunted by too much centralized state control. Scientific and artistic innovation and expression require novel insights that are balanced by rigorous and fair peer review processes that need to be devoid of overt state control.

The ability of well-informed and critical-thinking citizens to investigate and formulate opinions autonomously is a core principle of democratic accountability. The independence of higher education from overt control state control of the curriculum helps to ensure that the type of critical thinking and moral reasoning skills that are taught through the humanities and liberal arts are unfettered by state censorship and control.

The role of the democratic state in helping to craft the direction of scientific inquiry as a matter of national priorities should be noted, as there have been several cases in which state-sponsored and managed science has yielded important scientific breakthroughs (as in the case of the Manhattan Project). The role of democratic states in directing scientific inquiry largely evolved during and following World War II, during which time significant investments in higher education's educational and research missions increased. Since that time, public funding has played a critical role in steering and seeding scientific discovery and application. Striking the right balance between peer review and the autonomy of scientists on one hand, and legitimate state interests on the other, has historically guided these investment decisions.

All higher education institutions operating in democratic societies rely on some range of support from public funding. Some public colleges and universities are being completely or partially funded or subsidized by the state. They may have political appointees serving on their board of trustees or regents. Public subsidies can flow to both public and private higher education institutions—either indirectly, such as subsidizing student tuition, or more directly, such as through funding research in the sciences, humanities, and the fine arts. In this manner, all higher education institutions in democracies are still ultimately tethered to democratic states. With increasing reliance on government grants, "[u]niversities became more dependent on state funds and government oversight and explicitly turned into an instrumental arm of the state" (Schrum 2019, quoted in Darian-Smith 2025, 161). The financial dependence of higher education on public funding serves as one of the main levers of control that democratic states have over institutions of higher learning. Funding can and does come with strings attached. These "strings" often come with the need to protect human subjects, to conduct science and business operations ethically and legally, and to ensure that the curriculum offered is both relevant and of high quality. While the prescriptions of the state in these areas are widely celebrated, the

relationship between higher education and democratic states has always had its fair share of tension.

Those who have studied the relationship between state authority and influence over universities and colleges have noted the strong correlation between increasing state controls and "democratic backsliding." According to those stewarding the highly regarded global indices for liberal democracies, V-Dem, "There is an exact parallel between the rise of illiberal democracy and authoritarian governments, and the crackdown on academic freedom and the independence and autonomy of universities. They go hand in hand. In fact, it's one of our best barometers for assessing how much respect or how little respect there is for democracy and the rule of law" (Lorinc 2023, 1). As Pippa Norris notes, "state laws regulating freedom of research, teaching, and publication by scholars, as well as the institutional autonomy for schools, universities, and colleges, are systematically associated with broader patterns of liberal democratic backsliding in the early twenty-first century in many parts of the globe" (Norris 2025, 4). In states experiencing democratic backsliding, restrictions on university autonomy tend to accompany the decline of other independent checks on executive authority, such as the courts, media, and bureaucratic institutions. At the same time, legal limits on this autonomy can foster academic self-censorship, narrowing debate and weakening pluralism. Higher education institutions must confront both dangers to preserve academic freedom and their knowledge-advancing role (Norris 2025, 4).

Democratic states have a role to play in the governance of higher education through the exertion of legal, economic, and political regulation. Legal controls take the form of constitutional and statutory laws governing the rights of access and admissions to higher education, most often expressed in regards to student access, prohibiting discrimination in admissions, and more recently in relation to student safety. Economically, democratic states can subsidize student tuition through grants and guaranteed loans, and through research grants and contracts. Politically, states can apply pressure on universities and colleges by passing laws regulating governance, tenure and promotion policies, programs, and curriculum. In the United States, such actions are increasingly leading to political intimidation and coercion and threats to reshape the social contract between higher education and the state.

To better understand the political landscape confronting higher education in liberal democracies like the United States, it is important to define the political criticisms leveled against higher education. These criticisms emanate from both the political left and right.

Critiques of Higher Education

More left-leaning critiques of higher education have focused on the institution's role in reifying power hierarchies and class privilege, and enforcing neoliberal (corporatist) and neocolonial perspectives. More right-leaning critiques have tended to focus on higher education's so-called "liberal biases" and its tendency to indoctrinate students. More recent "New Right" critiques of higher education have touted decidedly illiberal views encompassing anti-science, anti-intellectualism, and anti-elite sentiments. These critiques have fueled efforts to impose more state controls over higher education, bordering on threats of authoritarianism.

Critique of Class Reproduction: This view critiques higher education for its role in extending hereditary privileges and further codifying elite power structures by restricting access to those from lower socio-economic class backgrounds. Recall that early European and American higher education institutions were historically restricted to noblemen and aristocrats, and only later, following establishment of Enlightenment ideals, did these institutions open up to select women from the upper classes and, eventually, to the middle classes. As liberal democracies matured and extended individual rights to more and more segments of society, the exclusivity of higher education began to shift. In the U.S., a significant change occurred with the GI Bill following WWII, and the establishment of new types of universities and colleges, such as community colleges, Historically Black Colleges and Universities (HBCUs), and Minority Serving Institutions (MSIs).[5] While elite universities and colleges still reward "legacy" applicants, the evolution toward opening access of higher education to more and more segments of society may be understood as advancing liberal ideals by extending higher education to more and more people—this despite persistent critiques that these reforms have failed to deliver in these processes, and led to the creation of a tiered system of higher education. Affirmative action policies and diversity, equity, and inclusion (DEI) programs have been devised to counter exclusivity.

Critique of Colonialism: The *colonialism* critique of higher education asserts the view that higher education advances Euro-centric, patriarchal literature, authors, and perspectives at the expense of others (Said, 1978). This critique essentially focuses less on access to higher education and more on the content of the curriculum of higher education, particularly in relation to the social sciences and humanities. The advancement of feminism, antiracism, and neo-Marxism have given rise to the diversification of the cannons of certain fields and the establishment of new areas of study, including gender and sexuality studies, Black (and later, African American) studies, Indigenous studies, and postcolonial studies degrees and programs. The recognition of the exclusionary features of higher education's aristocratic roots combined with the globalization of the curriculum and student body have also given rise to Area Studies programs focusing on specific geographic regions and cultures. These have included American studies, as well as Latin American studies, Asian studies, Jewish studies, Canadian studies, etc. An implication of the spread of anti-colonialism and pluralism in the academy has been a move away from a focus on western civilization and Euro-centric views on the humanities. While some scholars of the Enlightenment have demonstrated evidence of critiques of colonialism during the Enlightenment period suggesting that the birth of liberalism was due in part to increasing globalization and multiculturalism (Roberston 2021). More recently anticolonialism can be understood in acceptance of the value pluralism (Glaston 2005) inherent to high functioning liberal democracies.

Critique of Neo-liberalism: The neo-liberalism of higher education is framed as a growing corporatization that undermines democratic values by placing profits over educational and knowledge creation goals. This critique problematizes the argument that the goals of higher education should be for career and workforce development rather than the development of

[5] An important reference in relation to these transformations is the 1947 Higher Education for American Democracy: A Report of The President's Commission on Higher Education. New York: Harper & Brothers Publishers.

critical thinking skills needed for a well-informed citizenry. The growing influence of corporate funding of research priorities, the emphasis on public-private partnerships, patents, and commercialization of scientific discovery, fine arts, and humanistic inquiry are all understood as corrupting forces. The protection of property rights is an inherent feature of the liberal ideals first laid out by John Locke ((1689)1997). In this context, higher education's capture by neo-liberal tendencies demonstrates the tenuous position of higher education vis a vis wider economic forces, leaving the sector subject to neo-Marxist critiques of market capture and an overt influence of capitalism over the structures, content, and functions of higher education.

The critiques of class reproduction, colonialism, and neo-liberalism have their roots in left-leaning perspectives regarding the role of higher education. Liberal ideals of equality and individual rights may be seen in calls for opening access of higher education to greater segments of society and in the diversification of literature and other subject matter. The left's contestation of neo-liberalism, on the other hand, seeks to place limits on market-force influences on higher education.

The right-leaning critiques of higher education have largely emerged as a response to the critiques of class reproduction, colonialism, and neo-liberalism, as well the very nature of the liberal ideals of higher education itself. These critiques include:

Critique of "L" Liberalism: The critique of large "L" Liberalism presents the perspective that higher education has been captured by a brand of political Liberalism to the detriment of the cultivation and readily accepted expression of Conservative views. The argument claims that moves to open up higher education to wider segments of society and the decolonialization of the curriculum have led to the displacement of more Conservative values and perspectives. Charges of the indoctrination of youth have been leveled and amplified by political leaders. The most extreme critiques of higher education have painted it as spreading a form of moral relativism that elevates individuality and personal identity over collective values and norms (Bloom 2008). Some see higher education leading to the displacement of family values, undermining a sense of national identity, and advancing a form of godlessness. These critiques point to the Liberal political ideologies held by the majority of faculty and to the rise of DEI programing and efforts to advance more pluralistic views on knowledge and knowledge production. Adhering to the neo-liberal aims of higher education some Conservatives have questioned the value of liberal arts and called for greater focus on career and workforce development. Calls have been made for greater "viewpoint diversity" in classrooms, in research, and in the governance of university and college campuses.

The critique of Liberalism it not, unto itself, antithetical to the critique of small "l" liberal ideals. Appeals to tradition and social institutions like family and religion were, in fact, bolstered by the Enlightenment in the sense that greater autonomy was given to providing individuals with the freedom to marry, placing greater emphasis on child rearing, and worship as they saw fit (Robertson 2021). While the appeal to viewpoint diversity advanced by some Conservative critiques is itself an expression of liberalism's value pluralism (Galston 2005).

Critique of "l" liberalism: A more recent critique of higher education centers in the promulgation of a form of anti-science and anti-intellectualism, and the perpetuation of a

hierarchy of rights rooted in small "l" liberalism. The critique of small "l" liberalism attacks the very premise of higher education's social contract with the liberal democratic state and society. The heart of this critique concerns the very premise of liberal democracy itself. The co-evolution of higher education and science is called into question, and with it, appeals to reason and the desire for progress and modernity. The small "l" liberalism critique of higher education calls into question the very existence of the entire sector, with demands for either its complete dismantlement or radical reformation. The deconstruction of small "l" liberalism necessarily leads to one outcome: democratic backsliding and the types of remedies that can be found in authoritarianism.

The final critique of higher education is one that has only likely recently emerged as a counter to the emergence of the critique of small "l" liberalism- and that is potential use and abuses of higher education to advance authoritarian objectives in what had previously been democratic states.

Critique of Authoritarianism: A critique of state control can be found in expressions of dissent against efforts of authoritarian states to dictate what is taught and researched. As noted earlier, numerous political and religious leaders have historically sought to exert their control of universities and colleges (Darian-Smith 2025). In established authoritarian states, the activities of faculty and students are subject to surveillance and oversight. Curricular standards must be approved by the Party or ruling regime. Academic freedom of most any form is prohibited. Viewpoint diversity is prohibited. With the rise of more recent right-wing populist movements across the globe, traditional liberal democracies like the United States are experiencing more frequent, more intense attempts by states to impose controls over universities and colleges, and entire academic disciplines and fields. Authoritarian controls over higher education of this form transcend the types of shared power arrangements of traditional liberal democracies in which state influences specifically defined and limited to certain legal, economic, and political arrangements. Authoritarian reforms undermine the pursuit of the types of liberal ideals first defined by Humboldt and advanced by the early American founders such as Franklin and Jefferson.

At this juncture it is important to note that not all of these critiques are backed by empirical evidence. Some may go as far as to suggest that some of these critiques are made in bad faith. However, the failure to offer credible evidence does not, unfortunately, prohibit those lobbying for specific critiques from possessing political weight; therefore, they cannot merely be ignored.

With the presence of critiques of higher education emanating from all points along the political spectrum the present state of higher education in the United States is under the microscope. What is apparent is that the times call for an intellectually honest assessment of higher education institutions' social contract with the liberal democratic state and society and the concept of "academic freedom" that lies at the heart of that contract.

The Current Condition of Higher Education in the United States

Space precludes a deep and comprehensive assessment of the current state of higher education in the United States. But it is worth noting here some trends that are shaping the discourse around the relationship between higher education, democracy, and academic freedom. State legislatures are vetting curricula for "objectionable" ideologies, singling out what is deemed as "unpatriotic," anti-American sentiment. As a result, classrooms are becoming conflict zones (Darian-Smith 2025, 18).

Writing about the state of the current crisis, Reichman observes, "Although portents of the crisis could be seen as early as the 1990s in the impact of the 'culture wars' of that period, as well as in actions of the Trump administration from 2017 to 2020, the crisis itself only emerged full-blown during the COVID-19 pandemic, the racial awakening following the murder of George Floyd in 2020, and most intensely in the response and backlash that have followed. Brazen political interference by politicians and governing boards in college and university affairs, including in curricula, has been a principal hallmark of the crisis" (Reichman, 2025, S22). To date some states have sought to prohibit the teaching of concepts relating to social equity, multiculturalism, and pluralism (as instanced in Ohio law SB.83). Executive orders 14151 and 14173 issued by the second Trump administration call for the prohibition of DEI-related activities in the federal government and in the programs and services funded by the federal government. This prohibition extends to research and curriculum development initiatives funded by the federal government. While, Norris provides statistics about book banning in school libraries: "according to PEN America, in the latter half of 2023, more than 4000 books were banned from school libraries, many concerned with issues of race, gender, and sexuality, with the most aggressive purges in Texas and Florida" (Norris 2025,13).

According to Norris, "Academic freedom can be undermined by processes of self-censorship where people are unwilling to express their authentic views in public, measured by the hesitancy of heterodox scholars to articulate controversial views within and outside academia, including in their teaching and research, department, and social media. Self-censorship within the academy is likely to be most common among heterodox viewpoint minorities who hold unconventional values, beliefs, and attitudes contrary to the predominant consensus within any group culture" (Norris 2025, 7). In the process, advances to open up higher education to value pluralism are ironically subverted amidst calls for greater viewpoint diversity.

Traditional Conservatives have argued that the prevailing culture within universities lacks sufficient viewpoint diversity, which they attribute to the dominance of politically Liberal or Progressive ideologies among faculty. This concern has been invoked to support state and federal interventions in areas such as student admissions, faculty hiring, affirmative action and diversity initiatives, library collections, and the distribution of research funding. This assessment, as seen in critiques of Liberalism, suggests that Conservative views exist as a heterodox minority within the academy (Norris 2025, 16), leading to self-censorship by them. Prior to the more recent events of 2025, Conservative faculty and students were, arguably, more likely to self-censor than Liberal or Progressive faculty and students (Norris 2025, 17). By silencing any heterodox minority views that run counter to predominant Liberal views on politics, culture, and the economy, it is said, academic freedom is undermined (Norris 2025, 18).

One Conservative commentator engaging this issue is Stanley Fish. In an article on the subject of academic freedom and free speech, he notes that Liberal and Progressive voices in the academy who are "champions of academic freedom" would claim that Conservative heterodox positions are not excluded at all, but rather "invited into the seminar, where they can be discussed, interrogated, reasoned with, analyzed." Conservative ideas are allegedly circulated through a "marketplace of ideas," yet Fish asserts that such a fair hearing is either rare or none existent, adding that "of course" this is not what "proponents of doctrinaire agendas want; they want to win; they want to occupy and be sovereign over the discursive space and to expel others from it, and this position is what academic freedom will not permit. (It wants to win, too, and does by exiling from its confines any discourse that violates its rules)" (1999, 6-7).

Fish sees academic freedom as a solution to a form of internal policing that is inherent to academic disciplines and fields. But he claims that academic freedom is defined by those holding power, namely the majoritarian academics ruling over faculty meetings and disciplinary societies and institutions. "In short," claims Fish, "academic freedom invites forceful agendas in, but only on its terms, and refuses to grant legitimacy to the terms within which such agendas define themselves" (Fish 1999, 6-7). According to Fish, free inquiry in universities operates quite differently. Participation in classrooms, seminars, or scholarly publications typically follows extensive screening processes—such as evaluations, presentations, and formal approvals—aimed largely at determining who will not be granted a platform. Whether decisions are made by departments, administrators, or journal editors, universities routinely restrict participation rather than granting access indiscriminately.

According to Fish, the open exchange among all interested participants reflects a democratic ideal. Yet, he asserts that universities are not democracies; they are intended to function as merit-based institutions, where far fewer individuals are authorized to advance ideas than are excluded. This assertion leads Fish to conclude that the processes that govern academic discourse are "more Darwinian than democratic" (Fish 2017, 2). Fish's assertions here confirm Norris' claims that, "Although both sides of this debate claim to be defending academic freedom, their arguments frequently fail to engage one another, reflecting deep disagreements about the nature and direction of higher education" (Norris 2025, 2). It is important to note here that the critique of small "l" liberalism of higher education rejects the concept of academic freedom altogether.

A serious and well-organized attempt to compel higher education institutions to reform in directions that align more closely with traditional Conservativism or New Right (there is a difference - see Fields 2025) critiques of higher education than left-leaning ones is evident. In many respects, these right-leaning critiques may be understood as counter reformational efforts to undermine the de-colonization of the curriculum and the opening up of higher education to larger segments of society. More deeply, particularly within the context of attempts to push forward illiberal and authoritarian reforms, the very social contract that the academy has with the democratic state and society are in flux.

To put some context around the present situation, we necessarily turn to the origins and rootedness of the concept of "academic freedom" in small "l" liberal ideals. As we will note,

academic freedom can be interpreted in several different ways, with each approach loosely aligned with defending higher education from the types of trends discussed in the critiques cited above.

The Many Faces of Academic Freedom

A distinguishing factor of higher education institutions in liberal democracies is the existence of academic freedom that provides protection against the coercive authority of the state by centering the concept of academic liberty as a key dimension of the professional autonomy of the arts, sciences, and professions. In other words, academic freedom exists as an institutional norm governing the social, political, and legal contracts that bind higher education institutions to democracy.

Those who have studied the history and present context of academic freedom align the concept closely with the liberal ideals of the Enlightenment, including the promulgation of individual rights, the promotion of value pluralism and tolerance, the pursuit of reason and truth claims, and the checks and balances inherent to liberal democracies (Darian-Smith 2025; etc.). The origins of academic freedom have deep roots in Western European society and culture. As Reichman observes, "[e]ver since the founding of the first European universities, scholars have bristled at external controls by powers both theological and political and have fought for the ability to test and at times to cross intellectual boundaries" (Reichman 2025, S15).

The first articulation of academic freedom was advanced by the fledgling AAUP (American Association of University Professors), founded in 1915 by leading progressive era academics John Dewey and Arthur O. Lovejoy, prompted by a number of instances of perceived violations of academic freedom that the disciplinary societies were not equipped to address. Among AAUP's earliest cases was the University of Pennsylvania Trustees' summary firing of Scott Nearing, a professor in Penn's Wharton School, for his vehement criticism of child labor (Harkavy et al. 2020, 63). In liberal democracies like the United States, politically and religiously motivated efforts to stymie academic freedom have persisted. For instance, Albert Einstein, himself having sought refuge in the U.S. from the tyranny of the Nazis, was investigated by McCarthy as part of his Red Scare investigations in the early 1950's (Darian-Smith 2025, 100).

Contemporary constraints on academic independence stem not only from state laws and external regulators, but also from internal academic norms that restrict intellectual diversity. The external and internal forces are linked, with legal regulation shaping academic freedom directly while also indirectly promoting self-censorship of individual faculty across the disciplines themselves (Norris 2025, 1).

At the heart of these considerations about higher education, democracy, and academic freedom lies a definitional challenge. While the concept of academic freedom is widely associated with liberal democracies, the definitions and applications of academic freedom are contested. The larger question to be considered among these somewhat competing definitions of academic freedom has long been THE question for functioning liberal democracies: *Can working*

compromises toward peaceful coexistence be found? This was a question first posed by Thomas Hobbes, and echoed more recently by scholars of liberalism who have noted the several "faces" of liberalism that lie at the heart of present conflicts. As John Gray notes (2000), Hobbes suggested that due to the persistence of value pluralism, a working compromise is needed to ensure "peaceful coexistence." His views of the public as being "small" and brutish" led Hobbes to prefer a strong monarchy. Assuming, however, that the public has greater capacity for common agreement and common good, there is an argument to be made that the working out of compromises forms the basis of politics in liberal democracies in which there is an openness to "agree to disagree" and willingness to find workable solutions that will likely be suboptimal for all parties. The challenge, though, is not that academic freedom is being subjected to political suasion, but that it has become firmly ensconced in decidedly partisan politics, in which the goal of one side or the other is to win out over the other side based on who is perceived not as a compatriot with differing views, but as an enemy to be defeated (Scott 2024, 150).

For us to rely on the concept of academic freedom as the means for forging working compromises, we need to critically examine some of the competing views on academic freedom, beginning with the most widely applicable definition—wedding academic freedom to human rights, to more narrowly tailored definitions rooted in academic roles, processes, and governing practices. We therefore present four different "faces" of academic freedom for consideration: academic freedom as human right; as a matter of academic discretion and self-governance; as a form of toleration; and as a right to free speech. Each of these perspectives on academic freedom has its advocates and sometimes unlikely bedfellows.

(1) Academic Freedom as a Human Right

We begin with the broadest and most aspiration definition of academic freedom as one that is deeply tied to an individual's capacity to reason and think for themselves. While the concept of academic freedom is a central standard of formal educational institutions, it may be construed as much more. It can embody the inherent right of all individuals to pursue knowledge and truth of their own accord. In this sense, academic freedom is not "simply" a privilege of faculty and students in higher education, but is an inherent human and civil right, as noted in the UN Declaration of Human Rights (the right to an education) and in the premise of compulsory education laws. In this view, academic freedom is embodied in the right of any individual to pursue an education, to learn, and to formulate their own opinions (Darian-Smith 2025, 115).

Academic freedom as human right therefore is a central tenant of liberal democracies that can be traced to the establishment of citizen authority as an ideal. The antidote to concerns of "mob rule" in democratic states lies, as Jefferson and Franklin first asserted, in the education of the citizenry. Viewing academic freedom in such universal terms underscores the imperative to extend higher education to all segments of society by creating conditions for not only accessing education, but thriving and succeeding within them. In this manner, academic freedom serves as one of the cornerstones of modernity and progress inherent to liberal democratic ideals.

(2) Academic Freedom as Discretion and Self-Governance

More common definitions of academic freedom apply to the internal functioning of higher education institutions, and the placing of guards against undue influence and coercion from outside forces. While there are several definitions of academic freedom that center it within the context of higher education in circulation, Darian-Smith deems the concept "an aspirational consensus" that "protects scholars,' teachers,' and students' collective ability to research, teach, and disseminate evidence-based knowledge grounded in highly trained expertise, without fear of political or religious oversight, pressure, censorship, or punishment" (Darian-Smith 2025, 28-29).

Academic freedom also implies that higher education as a sector, as well as autonomous ecosystems of disciplines and fields, should possess the authority to self-govern within the bounds of the laws enforced by the state. The ability of faculty to self-govern persists at two levels: in the context of their specific institutions (e.g. the importance of faculty governance and curricular autonomy); and in the context of disciplinary and field governance, found in the premise of peer review, peer accreditation, and voluntary association within academic disciplines and fields. In this context, academic freedom applies at the collective level, in which "knowledge is produced by a community of inquiry," that is, "not judged by those outside the discipline," but rather only by peers (Post 2016 cited in Darian-Smith 2025, 107). As in established professions such as medicine and law, peer review is regarded as the most suitable mechanism for assessing the credentials, training, and specialized knowledge necessary for scholars to teach, publish in top academic journals, and conduct high-quality research (Norris 2025, 5-6). Academic freedom as professional discretion and self-governance is also predicated on the basis of relying on reason and the development of a set of shared but mutable truth claims about the basic tenants of a field or discipline. Contestation over these claims often lies at the heart of a field or discipline's literature and scholarship. The pursuit of such claims, however, should be free from overt state controls that lead to the censorship of people, ideas, and works, and to the prohibition of certain types of scholarship being undertaken.

This form of academic freedom does come with restraints. "Academic freedom is not about the freedom of individual academics to say whatever they want—rather it defines the *collective freedom of the faculty* to set the norms of academic debate, free from interference by administrators, governing boards, or the state" (Cherniavsky 2021, 9 quoted by Darian-Smith 2025, 113). It is a "freedom belonging to the academic profession collectively to pursue inquiry and teach freely, limited and guided by the principles of that profession and of a scholar's respective disciplines" (Reichman 2025, S14). The notion that knowledge is produced through peer review and a community of shared inquiry essentially describes how science and the professions function as institutions. While peer review is itself not devoid of petty politics and power plays, over time it has arguably served the advancement of knowledge, discovery, and professional practice well.

Academic freedom understood as communal self-regulation protects the ability of both faculty and students to pursue inquiry and participate in debate without fear of censorship or reprisal. While it affords substantial discretion to the moral and intellectual judgment of individual scholars, it ultimately operates as a collective right that enables the academic community to

regulate itself in service of the public good within a democratic society (Reichman 2025, S14, S16-S17).

This form of academic freedom comes with both rights and obligations. According to Judith Butler, academic freedom "allows faculty to pursue lines of research and modes of thought without interference from government or other external authorities…" and it *obliges* scholars to secure, "preserve and support critical thought even when it is not in line with official views of the state or other external institutions" (Bulter 2017, 857). This balance of rights and obligations was observed by Einstein, who defined academic freedom as the, "right to search for truth and to publish and teach what one holds for truth and to publish and teach what one holds to be true. This right implies also a *duty*: one must not conceal any part of what one has recognized to be true. It is evident that any restriction of academic freedom acts in such a way as to hamper the dissemination of knowledge among people and thereby impedes rational judgment and action" (as quoted in Darian-Smith 2025, 103).

Fish begrudging endorses this definition of academic freedom, but only if the professional obligations of academics protected by academic freedom can be divorced from politics. Where Bulter and Darian-Smith, for instance, assert a faculty member's right to express political dissent, Fish is much more constrained, as perhaps best summed up in the metaphor of "staying in one's lane." The role of academics, according to Fish, is not to interpret or apply disciplinary knowledge to address problems, or to prescribe specific policy prescriptions. At the heart of the difference between Fish's Conservative view and more Liberal and Progressive perspectives on academic freedom lies the matter of just where to draw the boundaries of professional discretion. To better understand where this line lies, we need to turn to two additional considerations of academic freedom. This first centers on the obligations of academics to tolerate heterodox views. The second, the individual rights that academics and students possess within the context of free speech and the value of the "marketplace of ideas."

(3) Academic Freedom as a Standard of Tolerance

An admittedly under-examined dimension and definition of academic freedom is one predicated on the liberal standard of tolerance and the willingness to allow diverse views and opinions even if they offend or violate majoritarian opinions and sentiment. Tolerance in any context is not an easy concept to grasp. Too much tolerance and too little tolerance can both pose significant problems for society writ large, and for higher education departments, disciplines, and fields in particular.

To determine where to draw the line around what lies inside and outside of academic professional discretion we must ask, *just how much intolerance should be tolerated?* Or conversely, *how much tolerance should be tolerated?* These questions led Karl Popper to describe the "paradox of tolerance" that underscores why tolerance is contingent and conditional— to be employed for the right reasons, under the right contexts (Popper and Gombrich 2020). He was, of course, writing about toleration at the societal level within the context of democracies, but the concept of the paradox of toleration he introduces at the wider societal scale has applications for academic freedom. The line of tolerance in a liberal democracy is very likely to hinge on systems of norms, standards, and ethics that, unto

themselves, are subject to some level of subjectivity and value pluralism. In the context of academic freedom as a communal value held in confidence among those specific disciplines and fields, the role of subjectivity and the toleration of different views is one that can and should be the subject of consistent recursive reflection.

To determine where to the draw the line between what and what not to tolerate we may turn to the liberal ideal of reason, and specifically Kant's appreciation for recursive reflection. Renier Forst (2013) brings Kant's views on reason to contemporary views of tolerance and recursive reflection. While Forst's examination stays focused at the levels generality, we may apply recursive reflection as specific standards and contexts that have been formulated over generations of scholars giving shape to disciplinary methods of inquiry and basis for the establishment of knowledge. Academic disciplines have evolved to form not only a "cannon" of core knowledge, but suites of methods of inquiry that are capable of changing over time—as for example evidenced in advances in modes of observation, in computational power, and in growing awareness of subjectivity and bias in research. Academics are trained to be recursively reflective, admittedly within the context of specific modes of inquiry and constrained within certain boundaries. Some, like Fish and Noam Chomsky, two eminent scholars arguably on different ends of the political spectrum, see tyranny in disciplinary cultures. Chomsky views intellectuals as "ideological managers" who are complicit in controlling "the organized flow of information"; intellectuals are, by definition, those who have "passed through various gates and filters" in order to become "cultural managers." In effect, Chomsky posits that "the whole educational system involves a good deal of filtering towards submissiveness and obedience" (Olson, Faigley and Chomsky 1991, 3, 8). Like Fish, Chomsky sees more of Darwin than democracy in disciplinary culture.

While we may sympathize with Fish and Chomsky's view, we are left with this simplistic observation: that disciplinary cultures form boundaries between "outsider" individuals, views, and ideas, and "insider" ones. The reality, however, is that these boundaries are themselves subject to change through rigorous contestation and critical examination. This process unfolds when heterodox views, methods, and perspectives are promulgated. One may argue that such toleration for difference drives innovation because it creates spaces for novelty. Therefore, the obligations of academics to both uphold and benefit from academic freedom call for a form of toleration. Just where the line between tolerance and intolerance is drawn can and should be an obligation of any discipline's gate keepers. We might even claim that their obligation comes part and parcel with the social contract implied in academic freedom. This claim requires us to accept when academic freedom is undermined within the academy, which can account for when "the predominant [L]iberal culture and intolerance of unpopular views may penalize and marginalize heterodox thinkers, including [C]onservatives challenging progressive shibboleths" (Norris 2025, 18).

(4) Academic Freedom as Free Speech

The equation of academic freedom with free speech is viewed as a red herring among most scholars of academic freedom (Reichman 2025; Darian-Smith 2025). Casting academic freedom as a collective right of academic professions, Reichman deems that academic freedom is not an individual civil right established by the right to free speech, but instead, "a freedom belonging to

the academic profession collectively to pursue inquiry and teach freely, limited and guided by the principles of that profession and of a scholar's respective disciplines" (Reichman 2025, S14).

Taking a stronger line and criticizing those equating academic freedom with free speech, Darian-Smith asserts that, "… reducing academic freedom to free speech is a shared strategy among far-right politicians that plays to their advantage as they tip the world toward antidemocracy and new forms of oppression. In short, under the banner of free speech, fact-based evidence and critical thought are policed, censored, and silenced" (Darian-Smith 2025, 20-21). She derides conceiving of universities and colleges as "marketplaces of ideas" that give credence to people who "peddle their opinions, with the most popular, and often the most unsophisticated, ideas winning the day." She observes how, "The 'marketplace of ideas' narrative tries to create equivalence between speech based on factual and professional expertise and speech that is ideological or propagandist" (Darian-Smith 2025, 108).

She finds some unlikely sympathies in Fish, who asserts that free speech is not itself an academic value because it does not orient inquiry. Political speech, in particular, runs counter to scholarly investigation because it predetermines conclusions rather than allowing questions to remain open. However, Darian-Smith likely would take exception to Fish's claims that raising moral or political concerns in academic material—treating these materials politically by aiming to resolve or advocate solutions for them— differs from engaging them academically.[6]

The line between free speech and the presentation of heterodox views is a blurry one. While inductive reasoning is a key feature of most academic disciplines, it must still rely on the inferential acuity of the observer. Subjectivity and relativism become a very real possibility here. Under the guise of free speech, there is room for speculation, for questioning orthodox perspectives, for contradicting the status quo. In other words, early expressions of heterodoxy may need to be protected by free speech for these ideas to even be given voice. And contrary to Fish's formalized lines between academic disciplines and political activism, where does the line between inquiry end and advocacy begin? Where is the line between one's role as private citizen and content expert drawn? Are we to create some form of metaphorical firewall between professional and personal life? And last but certainly not least, how are we to consider how knowledge is to be employed by students in their roles as workers and citizens? To completely divorce academic freedom from free speech could be viewed as cutting off one's nose to spite one's face. The lines between professional obligations and personal opinions are arbitrarily drawn when, and only when, there is political contestation regarding one or the other.

There is also the matter of universities and colleges as institutions of liberal democracies. While there are many considerations of higher education's role relative to free speech and political activism (see PEN America 2023; Kalven Committee 1967), these considerations and recommendations are offered in light of democratic standards and largely relegated to university administration, presidential pronouncements, and the treatment of free speech on campus among students, faculty, staff, and invited speakers. In this context, despite some reservations about the

[6] Fish suggests that although subjects such as discrimination, inequality, or institutional racism inevitably involve ethical and political dimensions, they should be examined analytically and historically, not debated as a means of advancing activist remedies. Academic inquiry seeks to illuminate complexity, not to mobilize allegiance or action (Fish 2017, 3).

politicization of the “marketplace of ideas,” liberal democracies need commons spaces where ideas can be contested. How does one justify censorship of some speech over others? While the legal clarity around hate speech is largely lacking in the US, cultural and societal norms and standards still persist, and are likely still widely shared even among a highly polarized public.

Academic Freedom’s Pinch Points

A few similarities exist across all four modalities of academic freedom presented here. While they may touch on different aspects of the social contract between higher education and democratic states and societies, they all help to form the basis of this contract. Academic freedom as a human right to access to education and learning is presented as the broadest application of the liberal democratic focus on individual liberty and equality. To this extent, access to a higher education is understood as a pathway toward pursuing a good life. Academic freedom as professional discretion and self-governance is the most tailored to academic institutions and contexts. It is aligned with liberal democratic values by reinforcing the importance of corporate autonomy and interest group authority that is a key feature of liberal democracies. Academic freedom as tolerance of differences focuses on the importance of value pluralism, a cornerstone of Enlightenment thinking, while the line between toleration and intolerance drawn through processes of recursive reflection is to be anchored in the liberal ideal of reason and reason-giving (Lynch 2012). Academic freedom as free speech is a more narrow interpretation of individual rights and liberties; it is also a central feature of a citizen authority, which, as noted by Franklin, Jefferson, and more recently Daniels, needs to be informed by the learning and understanding that formal education can provide.

When considering the differences between the four modalities of academic freedom presented here, several core distinctions can be surmised. The first difference pertains to whom academic freedom applies to. Academic freedom as a human right, as the tolerance of differences, and as free speech applies to the individual, and is not necessarily bound to the professional identity or institutional roles of faculty and administrators. This view of academic freedom differs from the more collectivist interpretation of academic freedom as professional discretion and self-governance. Yet, in practice, individuals, albeit academics with specific training and credentials, rely on academic freedom to protect their own liberties. The communal value of academic freedom in this context is bestowed on those who meet specific standards. These distinctions therefore raise a critical tension: To whom does academic freedom apply?

The second major distinction pertains to the differences in applications of academic freedom that are filtered through the lens of politics more generally, and political partisanship in particular (Scott, 2024). All sides of the partisan divides of traditional left-right / Liberal-Conservative viewpoints can call on any one or any combination of definitions of academic freedom to their defense. Those in the majority may seek to place limits on free speech standards, until their own speech is censored. Those seeking to tear down the standards of academic disciplines and fields may reject the professional discretion and self-governance definition of academic freedom, until they find themselves within versions of academic disciplines or cohorts of colleagues to their liking.

The similarities and differences between these definitions of academic freedom may be viewed, therefore, not in terms of either/or, but rather as both/add. And to assess how and where each definition of academic freedom applies, one needs to take context into consideration.

There is, however, one clear premise that unites Liberals and Conservatives who see academic freedom as a way forward toward better working compromises: the liberal ideals of the social contract binding higher education to democracy are important and worth preserving. Critics of small "l" liberalism, however, who call for more illiberal approaches to higher education and support the increased use of an authoritarian state to control what is taught, will find an enemy across *all* concepts of academic freedom.

Conclusions

Our considerations of the relationship between democracy, higher education, and academic freedom suggest a complicated but discernible landscape. Higher education institutions pre-date liberal democracies. However, modern universities and colleges operating in democratic societies have been shaped by a social contract based on a set of ideals pertaining to the relationship between teaching and research, the freedom of instructors to shape curriculum, and the ability of academic fields, disciplines, universities and colleges to self-govern. The marriage of higher education and democracy has arguably been a fruitful one. Critical-thinking, well-informed citizens have been cultivated, professional experts have been trained to enter the workforce, scientific discoveries and innovations have contributed to progress and modernity as a result of the social contract.

What happens though, when this contract is challenged? Or attempts are made to re-write it? These are questions worth pursuing with intellectual honesty, and a clear-eyed understanding of the value of academic freedom to higher education, the functioning of a democratic state, and the flourishing of a democratic polity.

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