

free speech will already have *been* impaired and Congress, as Hamilton foresaw, will have had its way.

b) In any case, the First Amendment does not properly speaking establish what I have called freedom of speech procedures in the United States: still less, for all that we speak of a Bill of Rights, does it confer on anybody a "right" to freedom of speech. At most, it confers a right not to have your freedom of speech impaired by the Congress, that is, by the Federal Government. In its original form, it did not even confer on anybody a right not to have his freedom of speech impaired by his state and county and municipal government. And it certainly did not confer upon anybody a right not to have his freedom of speech impaired by a whole series of non-governmental authorities—by, most especially, the persons most likely to impair it, who are one's neighbors.

c) The situation I have just described, where the First Amendment leaves our state and local governments at liberty to impair freedom of speech, has been greatly complicated up, if I may put it so, by a line of Supreme Court decisions which, in technical language, read the so-called Bill of Rights into the Fourteenth Amendment. These decisions, that is to say, seek to apply the limitations on the federal government involved in the first eight amendments to the states and localities, and they are so applied by the Supreme Court today. Now: by way of shoring up my image as a horrible example of an opponent of free speech, I'll confess I have never been much impressed by the constitutional logic by which that particular bit of juggling was accomplished, but that is not the main point I want to make about it. My main point is simply this: By the time we have moved away from the solid structure of the Constitution through some jerry-built lean-to of the Bill of Rights to the remote tool shed of a mere Supreme Court decision, we may have left far behind us the kind of freedom of speech that the American people may be said to have contracted with one another not to impair. I personally would still be willing to say that for me the presumption under the Constitution is against impairment, even when the latter is by a state legislature or a city council. But the presumption begins to wear a little thin; and I no longer feel sure of myself, when I defend it, as regards doing so on principle. That is why I speak, in my preliminary remarks, of defending the presumption to some extent on principle.

## Academic Freedom



Let me leap right into the middle of things, as follows: Academic freedom—like its first cousin freedom of speech—has become in America, for good or ill, one of the battlegrounds in the ongoing struggle between Left and Right, between Liberals and Conservatives. It is not that, so far as I know, in other countries—not even in those countries, Germany for instance, or Spain, that still have a Right, still have some Conservatives in our sense of the word Conservative; and it has not always been that, a battleground between Left and Right, here in America. That is a quite important fact for us to bear in mind as we tease our way into the academic freedom controversy—or, more accurately, the academic freedom *controversies*, for, as we shall soon be noticing, set-to's between Left and Right over academic freedom are not always, *by no means* always, set-to's over one and the selfsame issue.

Now: it is an important fact for us to bear in mind for the following reason, very central to what I want to say tonight: Here in America, nowadays, the academic freedom issues have a way of getting themselves stated so as to make it *sound* like—*sound* like, I say, for I do not think it is or can be really true, or that the resulting discussion situation is one in which Conservatives can afford to acquiesce—the issues I say have a way of getting themselves stated so as to make it *sound* like the Liberals were in *favor* of freedom in the universities, and the Conservatives out to destroy it, out to replace academic freedom with something academic *other* than freedom. That, I repeat, cannot be true! Insofar as it sounds as if it were true it is merely because we have, as certainly we do have in America at the present time, a very confused, very messed-up discussion situation, where words like "freedom" have got torn loose from their proper meaning, or if you like where some people—the Liberals, of course—have *turned* words loose from their proper meaning and, like Humpty Dumpty, are making words mean whatever they choose to make them mean. For—let me get this said before the evening gets a moment older, lest I be struck dumb before I get it said—where words *are* being used with their proper meanings, academic freedom, I think, takes its

place as a Conservative property not a Liberal one, as a Conservative ideal not a Liberal one. It was discovered—and mark that word discovered, for when I say discovered I don't mean something other than discovered, such as “invented”—it was discovered and first expounded by men who are the intellectual and spiritual ancestors of our Conservatives *not* our Liberals. It was such men—the Conservatives' spiritual and intellectual ancestors—who kept it alive in Europe through the centuries; and it was such men who brought it to America—along with the rest of Europe's intellectual and spiritual baggage, along with the concept of freedom itself, in the 17th century. It was, to be sure, discovered under another name, to wit, the *studium*, which is the phrase under which our ancestors discussed the rights and duties of universities and—derivatively, mind you—the duties and rights of individual scholars; and the chief function of the phrase was to distinguish the *studium*, the world or sphere of the university, the world or sphere of scholarship, from the *imperium*, the world of the state as distinguished from the university, the world of statesmanship as distinguished from scholarship, *and* from the *sacerdotium*, the world of the Church as distinguished from the world of scholarship and the world of statesmanship. And the point being made by those who discovered and defended the *studium*, distinguishing it from the *imperium* and the *sacerdotium*, was, quite simply, this: The world of the university and scholarship is *different*, something *apart*, from the world of the state and statesmanship; and different and apart again from the world of the Church and churchmanship. It is a different world, a world apart, and *therefore* mustn't be confused with the other two worlds. It is a different world, and *therefore* has its duties and rights, both within it and towards things outside it, different from those of the other two. But note the *therefores*. The whole business starts out from a distinction, a clearly understood distinction, between three different worlds, and *therefore* starts out from a state of affairs in which such a distinction makes sense. It starts out, above all, in a state of affairs in which *distinctions*, the whole business of *discriminating* between things that are different *in nature*, makes sense.

Don't, I hasten to add, be alarmed: I am *not* going to go on and on about matters that have to be talked about in Latin. And I am *not* about to say that anything much can be decided about the very-much-alive, present-day, *American* controversy over academic free-

dom by thus appealing to the remote past. My point is merely that Conservatives have been in the academic freedom business for a long time; that they have not sold that business, which with them is a family business, to any Johnnie-come-latelies, any Snopeses; and that if the Snopeses say they own it—that academic freedom belongs to *them*—that is merely another case of the Snopeses, the Johnnie-come-latelies, confusing matters, or, worse still, just plain fibbing, just plain saying *that which is not*. The task of the Conservatives, as people who've been around a long time and intend to be around for quite a spell yet, is to *unconfuse* matters, to affirm *that which is* as against *that which is not*, but to do it, however, with humility—remembering, though we cannot do so without a shudder, that it was they who let the Snopeses move in, they who let things *get* confused. The Conservatives must about this be *charitable* to the Liberals, and the nonsense they talk about academic freedom—not merely for the usual reason that they know not what they do but for the further reason that it was the Conservatives who let them get into a position to do what they do.

Now: Academic freedom, I was saying, is today one of the battlegrounds in the ongoing struggle between the American Right and the American Left; and I suggest we work our way into our topic a little further by pausing to remind ourselves, but always in the background of what I have just been saying, of what, in recent years, the issues have actually been—and note, once again, that I say “issues” not issue. And let us do that by reminding ourselves of what exactly the Liberals, in their guise as defenders of academic freedom, have been *asserting* in recent years, and of what we have been getting in the way of Conservative *answers*.

The Liberals assert: The task of the university is to press forward with the search for truth, and to teach students how to engage in the search for truth themselves. But in the phrase “search for truth” the word the Liberals stress is not “truth” but “search.” No-one, they say, knows at any given moment what the truth actually is about anything; and the university's performance of its tasks must be subject always to that overriding principle. And the Conservatives answer: that is to say that the uniquely correct theory of knowledge is skepticism, revolving-door skepticism, and we believe in no such theory. We believe that the search for truth goes forward in the context of a *deposit* of truth received from the past; that, therefore, at any given

moment there are some things we do know to be true; that, therefore again, the university's first task is to preserve that deposit of true knowledge intact against the possibility of loss or neglect—to press *forward* with the search for truth, yes, but before pressing *forward* with the search to make sure that no ground is lost, or, to vary the metaphor, no capital lived up or lost sight of.

The Liberals assert that because the university's pursuit of truth is like the greyhound's chase of the electric rabbit at the greyhound race-track, where the greyhound (if he's smart) knows that he'll never actually catch the rabbit; that because the pursuit of truth *is* like that, the university's personnel policies must be tailored accordingly: it can concern itself only with the competence of its researchers and teachers in the *pursuit* of truth, not with their knowledge or ignorance of truth or truths that some allege already to have been acquired—not, above all, with the content or substance of that which its teachers shall teach. The Conservatives assert first that any such personnel policy is absurd on the face of it, that is, in the same boat with the radical skepticism in which it is rooted; and second that the university does not in fact apply such a policy, is not in fact so indifferent as all that to what its scholars know, or profess to know, or even to what its scholars profess to believe; that, to go no further, no contemporary American university would hire, or keep in its employ, a scholar committed to Lysenko's views on biology, or to Hitler's views on racial superiority and anti-Semitism; that when the chips are down, down at least on *some* matters, the radically skeptical university, that radically skeptical university that figures so prominently in the harangues of university presidents to foregathered alumni, turns out to be not so radically skeptical after all; on *some* matters it *does* seem to know how many beans it takes to make five. Conservatives hold therefore that a very good place at which to begin discussing the problem of academic freedom is right *there*, where you do catch the university knowing, and admitting that it knows, how many beans it takes to make five.

But to go on: The Liberals assert that however all that may be, however the university's actions or policies may, to the outsider, seem to conflict with its avowed theory of knowledge, it must be free, has a *right* to be "free"—free from outside supervision, free, perhaps, even from criticism from the outside, exempt certainly from any obligation to render to any authority or constituency beyond its por-

tals any accounting concerning its stewardship, free to set its own standards and free to be its own unique judge as regards its living up to the standards it so sets. The Conservatives answer that that, any way you look at it, is absurd; that that, any way you look at it, would begin to make sense only if the university were self-sufficient and self-supporting, only if the university could survive, there behind its portals, without regular delivery of the groceries it consumes; that it wouldn't make *much* sense, however, even if the university *were* self-sufficient; that in organized society nothing and nobody enjoys *that* kind of freedom; that nothing and nobody in organized society is entitled to declare itself thus exempt from all accountings; that organized society cannot allow any such freedom, and least of all to the institution to which it sends its future elites for training and formation; that in any case the university is *not* self-sufficient, *does* depend for survival from day to day on the groceries being delivered; that the university not only *should* not be allowed the unlimited freedom it claims, but cannot and therefore will not make good any such claim—cannot and will not because out there beyond the portals there are always people in position to withhold delivery of the groceries.

Or again: The Liberals assert that *since* no-one knows what is true, all points of view should be represented on the university's faculty; otherwise students will be "indoctrinated"; and students have a *right* not to be "indoctrinated." The Conservatives—well, some Conservatives anyway, for we enter now on more controversial ground—some Conservatives answer, I say, that that also is foolishness, that all points of view *can't* be represented; and that even if they could the resulting university would be a bedlam, a madhouse; moreover, those same Conservatives continue, the universities as we know them clearly *don't* try to represent all points of view, even all points of view distinctly visible on the horizon.

Still again: The Liberals assert—a little inconsistently with their point about representing all positions, but of course there are worse misdemeanors than inconsistency—that university administrators cannot, in hiring their teachers, take cognizance of their opinions, religious, political, or what have you; the administrators, they repeat, are interested in professional *competence*, exclusively; to take an applicant's opinions into account would indeed be to violate academic freedom; and that goes even for a situation where the appli-

cant holds views that the surrounding community deems outrageous, intolerable. The Conservatives say they don't believe it: that the high degree of conformity one quickly observes nowadays in any faculty couldn't have come about by accident; that administrators *must* be looking, and looking hard, for men of a certain outlook, and, moreover, that everybody with his wits about him knows what that outlook is; that what you have all over the country is Liberal-dominated departments recruiting Liberals and even more Liberals; and, finally, that the conspicuous absence of Conservatives must be due to the fact that Conservatives are being passed up.

Those, I believe, are the academic freedom controversies, most of them at least, that have been up during the last couple of decades; nor, let us note, is there anything surprising about their dividing Liberals from Conservatives: The Liberal assertions, as even these brief statements of them make clear, are shot through and through with the philosophy of freedom associated with the name of John Stuart Mill—which philosophy is, notoriously, an article of faith with Liberals and, by the same token, anathema to Conservatives. But let us pass on to notice a few facts of history that will round out our picture of the controversies:

First: If we fix attention on a somewhat longer period than 20 years, we shall discover that the controversies have got themselves, to some extent, turned upside down of late. Only a while ago—how long let us not try to say quite yet—it was the *Conservatives* who were being accused of stacking the university and college faculties, and of persecuting men of non-Conservative opinions, that is, Left-wingers. What is today the prevailing theory of academic freedom was, back then, only beginning to be heard on most campuses: university administrators did not speak of representing all points of view, or of having the faculty conduct an ongoing debate with the students sitting as judges; rather it was taken for granted that the university would and should inculcate upon their charges a healthy respect for, for instance, the American economic system and the American political system; it was even taken for granted that religion—yes, the prevailing or “majority” religion, which was Christianity—was a proper concern of the university; that the university would and should provide an atmosphere in which its students would grow and develop religiously; most administrators—presidents, deans, department heads—were churchmembers, and pretty much expected

to be, and so to set a good example (so it was called, back then) to their pupils. Now: Was that old-fashioned university “intolerant”, as it was often accused of being, or rather “tolerant”? Let me answer that firmly: if it was *not* intolerant, that was *not* because its image of itself was rooted in radical skepticism; put otherwise: if it was tolerant of the non-conformist, that was not because it thought or suspected or feared he might be right; if it was tolerant, and it must've been, since it let the Liberals take over, from inside, in due course, that was because it had some built-in reasons for being tolerant that, if I may put it so, no-one seems to remember any more, that few people would understand any more. And again: if it was tolerant—and I repeat it must have been—it was, or intended to be I think, tolerant subject to a severe limitation that again I think few people would understand any more, namely: dissidents, and there were dissidents, were free to disagree with the prevailing orthodoxy, but only if they recognized that there *was* an orthodoxy, a set of dominant views, that so to speak had a right to be and remain dominant—short, anyhow, of a sea-change in the beliefs of the American people. Dissidents were free to criticize the orthodoxy, but not to proceed as if it did not have a proper claim to special treatment, favorable treatment, in the university. Did such a university practice academic freedom? Here let me give, before I pass on, a very brief answer: It believed it did. But not, of course, academic freedom as defined in the way that is fashionable today.

A second fact of History: The academic freedom controversy entered a new phase with the publication, in 1950, of a book by a young man named William F. Buckley, Jr. Buckley you might say had gone to Yale thinking it was the old-fashioned kind of university I have just described. He soon found out it wasn't—that what it was trying to do to him was *undermine*—yes, undermine—his, and other students' belief in the orthodoxy that had once ridden high at Yale. He found that this was being done under the slogan “Academic Freedom!”—with an exclamation point, of course. He also found that nobody much besides himself seemed aware of what this showed to be happening to the American idea of the university, and along with it, to the whole American idea of higher education. And he found this paradox, or rather pair of paradoxes. The administrators of Yale, the President, the important deans, were all men who themselves still appeared to believe in the orthodoxy their university was undermin-

ing—paradox one. And the money for running Yale not only had come in the past but was *still* coming from men who believed in the orthodoxy. They were still in position to say “No more of this, or we give no more money, and where’ll your university be then?” They were still in position to, yet didn’t. Paradox two. So Buckley wrote *God and Man at Yale*—to demand that Yale’s alumni bring her to heel. And Yale, the Yale faculty, met Buckley head on: Running the university, deciding what kind of university it should be, was, it said, the faculty’s business, not the alumni’s. What Yale was doing—what, concretely, it was doing about the old orthodoxies, was—well, exactly what it *should* be doing, and certainly what it was going to keep on doing. And, overnight, Buckley got what I imagine to have been *the* surprise of his very surprised life: For the alumni, instead of rallying behind him, tacitly rallied behind the faculty. Instead of themselves becoming angry, at being told that Yale was none of their business, they tacitly accepted that view of the matter, and still kept on giving their money—soon, indeed, were giving their money more generously than ever. Buckley, at least on the battleground he had chosen, took a licking. Soon, indeed, Yale had a President who, unlike his predecessor, was the very embodiment of the new ideas on academic freedom; and Yale became, even more unabashedly, the kind of university Buckley had accused it of being. Moreover, people became aware, under the impact of Buckley’s book, that the nation’s other colleges and universities, with a greater or lesser timelag from campus to campus, were also becoming the kind of university Yale was. And nobody in position to arrest the process—indeed, nobody, except Buckley, seemed to be about to raise a finger to do so. Only in one sense—how important a sense remains to be seen—did Buckley not take a licking. His book, his challenge to the new definition of academic freedom, became one of the roots from which contemporary American Conservatism, as we know it, has sprung; just as, soon after, Senator Joseph McCarthy’s challenge to a new definition of freedom of speech and thought in America became another such root. Too late? So many people would certainly say; and certainly nothing has happened in the colleges and universities that would suggest the contrary. All we can say is, I think, this: Thanks to Buckley—thanks to him and later writers like Russell Kirk and Stanton Evans—conscious Conservatives in America know that one of the things they must fight for, must wrest from the Liberals, is the restoration

of that older kind of university. I speak of. Or maybe we can also say this. If Buckleyism hasn’t accomplished anything yet on its battleground, the other root of the contemporary American Conservative movement, McCarthyism, has accomplished much, remains strong in America, and must some day interest itself in the issues Buckley raised. And when and as it does that, things *will* begin to happen at the university. Let me say that still more sharply: Buckley, in this speaker’s view, carried his battle to the wrong people, that is, the intellectuals, where his few converts were always easily outflanked by the Liberals. But Conservatives now know, from McCarthy’s example, who are the right people to carry battles to. And that they must in due course learn to do with the problem of the university.

A third fact of History, at which I have been hinting for some while, but must now bring out into the open: The Liberal take-over of the American university is much more recent than we are in the habit of thinking. Buckley, for instance, seems to think of it as having been far advanced already by the 1930’s. But it is to the 1930’s that the “Walsh Sweezy case” belongs; and the Walsh Sweezy case, the biggest academic freedom squabble of recent decades, concerned the right of Harvard University to fire two men who merely held mildly Left-wing opinions on economic Harvard, in other words, was still pretty Conservative as late as 1936; and 1936 is less than 30 years ago.

Let me turn now to the theses I want to present tonight, concerning matters, all of them, on which I believe the Conservative intellectuals to be wrong, and to be proceeding on an incorrect analysis of our university problem.

First. The reason why Conservative intellectuals like to think of the take-over as *less* recent than it was is this: There were plenty of Liberals around, by the 1940’s, to do the taking-over, and what more natural than to assume that those Liberals were Liberals because they’d been *taught* to be by Liberal professors they studied under; and the same logic leads to yet another idea current in the circles I speak of. Pretty much all professors are, admittedly, Liberals. Now: won’t their students all become Liberals under their influence, so that the take-over process will be self-perpetuating forever and ever? I feel sure myself that the question enormously exaggerates the influence professors exercise on their charges. *And* that the faculty “imbalance to the Left” we hear of these days is, by that token, a far less

serious problem than Conservative intellectuals like to think. Serious enough, in all conscience, but not hopeless, as such a picture of Liberals breeding more Liberals, on and on to the end of history, would suggest.

Second, if the Liberals who did the taking over were *not* brought to Liberalism by Liberal professors, what *did* fetch them? And my answer is: By the late 40's we of the West—not just we Americans, perhaps we Americans less than other peoples—had moved far into a period we may describe as follows: It was a period during which, increasingly, the *heroes* the intellectuals were likely to admire happened to be—I know no other way to put it than that—Left-wingers; and to the extent that was true the intellectuals tended, for that reason, to move sharply to the Left. Think of them, those heroes! Albert Einstein. Albert Schweitzer. André Gide. Pablo Picasso. Ernest Hemingway. Thomas Mann. Liberals, or if not Liberals then socialists or even Communists, *all* of them. And they were, I repeat, the men you *had* to admire—so good were they at their businesses—if you were going to feel at home in that climate. By the 40's their reputation was so solid that—what more natural?—intellectuals in America were not only admiring but imitating them. But those 40's heroes are, most of them dead now, less likely to engage admiration, and I doubt if it could be demonstrated that their successors, as heroes, are predominantly Left-wing. Perhaps, indeed, for good or ill, the climate that is replacing that one is less given to having heroes at all. On either showing, the Einstein-Picasso kind of hero-worship is by no means certain to be self-perpetuating. Here again, the Conservative who removes his blinders can see hope: It is Faulkner they go into ecstasy over in Paris these days—Faulkner not Hemingway. And while one swallow doesn't make a summer, it isn't a fact to be ignored. And I predict the American intellectuals will follow the fad next time around too!

Third—I can name one further reason for optimism about the future: The academic freedom Buckley exposed is a *bluff*—a fundamentally indefensible DEMAND that American universities be given all the rights of the medieval *studium* in conditions where those particular rights no longer make any sense. The medieval university, the medieval Church, and the medieval state stood over against one another in a context of deeply shared beliefs and common purposes. It could be trusted with freedom, with the right to govern itself

without outside interference, because it was willing and eager to discharge the duties correlative to that right, and to discharge those duties as not only itself but other people understood them. It knew that it was there to inculcate beliefs, to *indoctrinate*, and precisely *did not* feel itself free to improvise the beliefs it inculcated. Not so the contemporary American university: it does *not* any more share the beliefs and purposes—so I confidently think anyhow—of the society in whose bosom it functions. The right it claims is a right to *remake* the Nation's belief system, according to its *own* ideas as to what it ought to be. It is, I repeat, *bluffing*, and the bluff it is attempting is the kind of bluff nobody ever gets by with in America, and for reasons we Americans have well understood ever since Publius wrote Federalist 10. Nobody ever gets by with it because we Americans are wise in the ways of taking people, individuals or institutions, down a notch or two when they get to throwing their weight around. One wonders, indeed, what ever made the American university—dependent as much of it is precisely on appropriations from state legislatures, which are made up of men not so easy to jump through the hoop as the late Whitney Griswold found the Yale alumni—what ever made the American university even *think* it could get by with such a thing? I predict that it can't: it can either go back willingly to its proper business of communicating American beliefs, American traditions, to the nation's youth, or someone will have to *make* it go back to it. And remember: the ultimate weapon—refusing to deliver the groceries—is always in the hands of the people the American university is trying to bluff.

One more point, which I have already made by implication. In my opinion it is just not true—though most Conservatives now believe it to be true—that the American university's present imbalance to the Left is a matter of Liberal cardstacking, of Liberal conspiracy, of the deliberate excluding of Right-wing scholars by Liberal-dominated departments. And it is just not true, though most Conservatives believe it to be true, that the American Right has anything to gain by talking any such line of chatter. The reason the universities are staffed mainly with Left-wing scholars is, quite simply, that today most American scholars are Left-wingers, so that no matter what recruitment policies administrators might adopt, they would end up with a conspicuous imbalance to the Left. Put otherwise: The Right-wing scholars that would be needed to correct the imbalance, to give



fair representation to the Conservative position, simply don't, for the most part, exist. They need—if I may put it so—to be *created*, as Ann Arbor's Rehm Foundation is today, almost alone, trying to create them. There is no other solution to the problem, and the Right must—just *must*—get that through its head. Which means: get busy providing the funds it'll take to create them.

## World Government



Proposals for voluntary world government—for I suppose it is the voluntary kind we are here to discuss, and *not* the kind we are pretty sure to get, which is world government by the Russians or ourselves—proposals for voluntary world government, I say, are to political philosophy what schemes for *perpetual motion* are to *physics*; what attempts to *square the circle* are to *mathematics*; what plans for creating wealth and prosperity by *manipulating the currency* are to *economics*. All four of them, however, world government, perpetual motion, circle-squaring, wealth by way of the printing press, exercise an unending fascination for a certain type of mentality, which we may characterize as follows: it assumes that if we *want* something hard enough, *will* it with sufficient *determination*, then, reality—whether it be political reality, physical reality, mathematical reality, economic reality—*must* not and therefore *cannot* stand in our way. The ideas in question, accordingly, will not down; neither logic nor events ever quite dispose of them; refuting them, therefore, is a never-ending task for practitioners of the relevant sciences—a *veritable* task of Sisyphus, which is no sooner completed than it must be begun again, and begun again with the knowledge that the rock will roll once more down the hill. The task calls not so much for strength or skill as for patience, which it becomes the duty of those practitioners to develop at whatever cost—the *kind* of patience, moreover, that bears up under the necessity of repeating again and again, each time in more simple language, principles of such simplicity that they seem, almost, to explain *themselves*—the kind of patience that does not flag even in the presence of apparent incorrigibility. It is, properly speaking, a task for a teacher not a debater, a task for the gentle guiding hand of the pedagogue not the cruel dexterous hand of the disputant. Let us, then, as we reason together this afternoon about world government, about one-worldism, keep it simple—partly in the hope of recalling my opponent to the *real* problems of contemporary politics (which are already difficult enough, in all conscience, without his complicating them further), partly to clarify our own minds in preparation for tomorrow's inevitable encounter with the next one-