

The Academy's Freedom, The Academy's Burden

By John M. Connolly

 Excellence
in the Academy
Awards

Democracy in
Higher Education

Academic freedom and the related institution of tenure are essential features of the American higher education landscape. Since tenure is under some pressure today and since tenure's whole justification, in my eyes, lies in its role of protecting academic freedom, we need to be very clear why this peculiar freedom matters and where it comes from.

Academic freedom is indeed a peculiar, even puzzling notion, no less so for being familiar to us.

I can put the substance of my thoughts in the form of an image related to me by a senior colleague, Murray Kiteley, who coined a term for a random collection or group of

philosophers. Just as we speak of a school of fish, or a pride of lions, or a gaggle of geese, so too we should speak of a "quarrel of philosophers."

Please note that, in one venerable usage, the term "philosophy" covers the whole of the liberal arts.

My thesis is this: We, the faculties of liberal arts institutions, are—in this broad sense—quarrels of philosophers, necessarily both dependent on one another in our search for truth and also in conflict with one another. The bond that holds the quarrel together in a dynamic and potentially fruitful tension is the concept and the practice of academic freedom. This is our privilege—and our burden.

When my institution, Smith College, began in 1875, a momentous change was about to begin in American higher education. The collegiate model that Smith embodied in 1875 was quite different from what many such colleges have since become, thanks to success of the model established in 1876 with the

John M. Connolly has degrees from Fordham, Oxford and Harvard, (Ph.D., 1971). He is a member of the philosophy department at Smith College, has published books and correspondence courses on philosophical topics, numerous articles, chapters, and reviews. His recent work has dealt with the liberal arts and academic freedom. Since May 1998 he has served as the first Provost/Dean of the Faculty at Smith.

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founding of Johns Hopkins University in Baltimore.

Johns Hopkins was the first university in America based on what was known as “the German model,” dedicated not primarily to the formation of the student's character in the spirit of the liberal arts, but instead to what its first president called “the encouragement of research” and “the advancement of individual scholars, who by their excellence will advance the sciences they pursue, and the society where they dwell.”¹

American colleges up to that point resembled in many respects the high school of the 1950s. As one historian has put it:

[In the 19th century] students took prescribed courses and recited their lessons by rote; professors acted like schoolmasters, drill-masters, and prisonkeepers . . . [Colleges were founded on an unshakeable triad of beliefs in] the preceptive importance of religion, the disciplinary advantage of the classics, and above all, the waywardness and immaturity of youth that called for [both] precepts and discipline.²

The principal point I want to fasten on here is that, in 1875, American colleges—including Princeton, Harvard, Yale, Stanford, and others of their ilk—were mostly places where knowledge was

conserved and transmitted, not places where it was generated or created.

By contrast, Johns Hopkins was to be a place for the creation or generation of new knowledge.

Within a few years places like Harvard, Columbia, and Cornell followed this lead. They established graduate schools for creating new knowledge. By 1900 there were 15 such graduate schools in the country.

The doctors of philosophy whom these graduate schools were beginning to produce in significant numbers slowly made their way into the faculties of colleges as well as universities. These scholar-teachers were not content simply to leave their newly created knowledge in the private study while they transmitted the classics to the undergraduates.

These professors wanted to lecture—at that time an excitingly novel pedagogical tool for the presentation of the professor's own thoughts and findings—as well as to oversee student recitation of received learning and prescribed classic texts.

Graduate study and its product, the Ph.D., meant the development of academic expertise that more or less required that professors be allowed to offer advanced elective courses, that majors be instituted,

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and that there be a general departure from what was an extensive, indeed all-encompassing core curriculum.

American higher education was in the process of being remade into a system that blended elements of the traditional college and the 19th-century German university.

The transmutation of the American professor from “drill-master/prison-keep” to scholar-teacher was not easily or universally welcomed by the trustees and administrators of these rapidly changing colleges, especially as the newly expert professors were more and more ready to broadcast their views, on a wide variety of topics, outside the college’s gates, in newspapers and on public platforms.

If you espoused Marx, Darwin, or Bertrand Russell inside or outside the classroom, you were at risk to arouse the ire of the president or the board, and you might lose your job. So an influential group of professors, many of them connected to Johns Hopkins, organized to protect their ranks.

In 1915 the fledgling American Association of University Professors (AAUP) issued its original official statement on academic freedom, stating in part:

The term “academic freedom” has traditionally had two

applications—to the freedom of the teacher and to that of the student, *Lehrfreiheit* and *Lernfreiheit*. . . Academic freedom [of the teacher] comprises three elements: freedom of inquiry and research; freedom of teaching within the university or college; and freedom of extra-mural utterance and action.³

Two things in this definition that ought to strike the reader as peculiar are the presence of the German terms, *Lehrfreiheit* and *Lernfreiheit* (literally, freedom to teach and freedom to learn), and the reference to a tradition of academic freedom, something we certainly did not have in the United States, despite the Constitution’s guarantee of free speech.

To be sure, academic freedom is a kind of cousin of freedom of speech: Both have medieval antecedents, and both were decisively formulated in the late 18th-century Enlightenment.

Freedom of speech is the sort of idea likely to take root in a young, revolutionary society such as the early United States, but academic freedom is not. Such a society is likely to lack the settled, long-established social institutions required to foster a professoriate ready, willing, and able to undertake research, an essential of academic freedom as we

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know it.

These latter conditions were present in the mid- to late 18th and early 19th centuries in several of the German states, where a generation of young, well-educated reformers encountered secular rulers willing, under certain conditions, to countenance free, scholarly universities.

This was a remarkable development—in some ways a revival of the equally remarkable autonomy of the liberal arts faculties at a few European universities in the late middle ages.

The intellectual movement even had its own “declaration of independence,” a now neglected but still fascinating polemic published in 1798 by greatest of German philosophers, Immanuel Kant, who was in his 74th year.

Kant was professor in Königsberg, from where his fame spread across Europe. Among his admirers was Wilhelm von Humboldt, who, a decade later as the Prussian education minister, helped devise the scheme for the founding of the University of Berlin in 1810.

This new university rapidly became a Mecca for unfettered research. Kant and other scholars had enjoyed substantial freedom under the long rule of Frederick the Great in the mid-18th century, but, when his more pious successor took over in 1786, a sterner censorship

was instituted, of which one of Kant's books on natural religion ran afoul.⁴ This episode gave rise to the polemic on academic freedom called *The Conflict of the Faculties*.⁵

For those who know only the tortured prose of Kant's *Critique of Pure Reason*, the vastly less formal—and indeed delightful—*Conflict of the Faculties* comes as a surprise.

Kant steps forward as a sprightly, clear-headed master of irony. He asks us to imagine the idea of a university first occurring one day out of the blue to someone, the idea of an institution in which learning would be pursued in the manner of a factory, with its division of labor according to the various fields of study, each field having its professors, each group of fields having its dean.

Crucially, the university would “have its own autonomy *since only scholars can pass judgment on scholars as such*” (emphasis added).

Here, we have the basis for the claim to academic freedom: Scholars are experts of a sort, and their work can only be judged adequately by other experts of that same sort. And the university would be given the right by the state to admit students, conduct examinations, and confer degrees, most importantly the Ph.D., that is, “to create doctors [of philosophy].” (23)

Kant gives several different kinds of justification for the academic freedom of professors.

Kant's proposed division of labor follows the received shape of the German university, with its separate faculties of law, medicine, theology, and philosophy.

The former three are called "the higher faculties," and their function, Kant claims, is to produce legal, medical, and priestly agents of the state.

The philosophical faculty has an entirely different function, to wit, to pursue the truth wherever the search may lead.

The government is free to censor the higher faculties—to purge the Hegelians from the law faculty or the herbalists from the medical school—since these departments are the state's tools in the general aim of securing its control over the people. But Kant adds:

It is absolutely essential that the learned community at the university also contain a faculty that is independent of the government's command with regard to its teachings; one that, having no commands to give, is free to evaluate everything, and concerns itself with the interests of the sciences, that is, with truth: one in which reason is authorized to speak out publicly. For without a faculty of this kind, the truth would not come to light (to the detriment of the govern-

ment); but reason is by its nature free and admits of no command to hold something as true (no imperative 'Believe!' but only a free I believe) . . . The philosophy faculty, because it must answer for the truth of the teachings it is to adopt or even allow, must be conceived as free and subject only to laws given by reason, not by the government. (27,29,43)

Further, the range of the philosophical faculty must be unlimited, extending also to the theoretical claims made by the other three, so-called "higher" faculties.

Neatly turning the tables on the theologians who had presumed to censor his writings, Kant claims the right to review and find fault with—though not suppress—theirs.

The government can afford to allow such intra-university conflict, notes Kant, because the uneducated public, whom he calls "idiots," understands nothing of learned disputes and hence cannot be disquieted by them.

Let me point out three important features of this argument:

First, Kant gives several different kinds of justification for the academic freedom of professors.

Unlike the "higher faculties," the philosophical faculty "has no commands to give." Its pronounce-

The arts and sciences faculty must be free in its inquiry. If it is muzzled, then, in effect, the faculty ceases to exist.

ments are always in the indicative mood, not the imperative. Unlike the professors of law or medicine or theology, the philosopher tells us what is, not what actions have to be performed.

Kant also claims that it is in the governments own interest that the truth be discovered, and that learned debates are of no interest to the masses, hence cannot undermine the governments authority;

Finally, since the philosophical faculty is by its very nature concerned with the truth, and truth cannot be commanded, the arts and sciences faculty must be free in its inquiry. If it is muzzled, then, in effect, the faculty ceases to exist.

More than a century later, John Dewey picks up on this idea, suggesting we distinguish between:

the university proper and those teaching bodies, called by whatever name, whose primary business is to inculcate a fixed set of ideas and facts. The former [the university] aims to discover and communicate truth and to make its recipients better judges of truth and more effective in applying it to the affairs of life;⁶

The second feature of the argument is this: If one needed proof that the notions of academic freedom and freedom of speech are

distinct from one another, Kant is a case in point.

Writing just a few years after the United States Constitution forbade the government from making any law abridging the freedom of speech and more than a century before the American academic community would begin to secure for itself academic freedom, Kant endorses the latter while rejecting the former.

“Unlimited freedom to proclaim any sort of opinion publicly,” he notes, “is bound to be dangerous both to the government and to the public itself.” (p. 55)

However, in Kants view, the faculty of arts and sciences is to perform the very function of safeguarding the truth that untrammled free speech is meant to secure in American society.

Finally, Kant argues that academic freedom is essentially about both conflict and community. A Kantian university is clearly a community with its own form of organization and interaction, but one in which conflict between the philosophical and the three “higher” faculties will be perpetual. This conflict “can never end,” nor should it:

It is the philosophical faculty that must always be prepared to keep it going. The philosophical

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faculty can never lay aside its arms in the face of the danger that threatens the truth entrusted to its protection, because the higher faculties will never give up their desire to rule. (55)

What emerges from Kants exposition is a kind of “guild freedom,” an elitist liberty that is not general, not a right of all persons, but a privilege belonging to a particular profession, the way freedom to impart the best medical information available may be thought to belong peculiarly to doctors as a group, or the way judges must be free from extra-judicial influence to decide cases according to their best understanding of the law of the land.

But such comparisons point in the direction of a line of criticism that has, especially recently, been leveled at academic and other “ideal” freedoms (medical, judicial), that the arguments used to justify these freedoms—for example, such freedom is necessary to safeguard the search for truth or the search for the correct medical treatment or for the just verdict in a legal case—are just so much window-dressing meant to disguise the realities of entrenched privilege. I will turn to these criticisms below.

How did it come to pass that the infant AAUP in 1915 was insisting on “Lehrfreiheit,” the German term

itself, in its first major public statement on academic freedom?

The answer lies in the remarkable tale of the steady stream of American academic pilgrims who made their way across the North Atlantic all through the 19th century to study in Germany, more than 9,000 of them in an era in which even a college as good as Amherst might have had no more than 150 students at any given time.

One of the pilgrims was Henry Wadsworth Longfellow, an 1825 graduate of Bowdoin, whose eyes were opened at Göttingen. He wrote: “What has heretofore been the idea of an University with us? The answer is a simple one: Two or three large brick buildings, with a chapel, and a President to pray in it!”

Longfellow contrasted this with the German idea of “collecting together professors in whom the spirit moved—who were well enough known to attract students to themselves, and . . . capable of teaching them something they did not know before.”⁷

Most of these temporary expatriates stayed in Germany for only a year or two, but many took doctoral degrees there (you could not yet get one in this country). Their eventual return to college life in the United States, as professors trained in those green pastures, was often a bitter disappointment.

For example, the political

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historian John Burgess tried in the 1870s to introduce at Amherst the kind of seminar he had known in Germany, but he met with severe opposition. Consequently he moved to Columbia, but the response was equally negative. And these were two of our finest colleges.⁸

No wonder that many of these scholars became convinced that only a new kind of institution, a “graduate school” expressly designed to further research and train young scholars, could provide them with a proper environment and contribute to the gradual reform of backward American conditions. Johns Hopkins was established with just this purpose.

Almost its entire early faculty had been trained in Germany, about a quarter of them having attained the Ph.D. there. The effects on our national academic scene were slow but steady and inexorable.

By 1890, there were nearly 3,000 graduate students in American institutions, where just 30 years before there had been virtually none. By 1915, colleges such as Smith and Amherst had been effectively transformed into new sorts of institutions, with largely elective curricula, the requirement of a major, and increasingly research-oriented faculties.

Both Kant and the authors of the 1915 AAUP statement were primarily worried about external threats to the conduct of university business: from the Church, government, and, in the American case, from boards of trustees—who, it must be noted, sometimes had a very wide conception of their powers and would sack teachers whose views were controversial theologically or politically.

James Alexander, a Princeton trustee around 1900, is supposed to have claimed that in any conflict between professors and trustees it was the professors who “would have to walk the plank.”⁹

That boards today take a more restrained approach to their duties is largely due to the AAUP.

Meanwhile, the church has faded from its earlier role of watchdog against the danger of impiety in the classroom, and, at the present moment, government in this country seems less concerned than it has been about professorial sedition.

But not all is well. Consider the combative rhetoric of ex-Speaker of the House, and ex-professor, Newt Gingrich, who writes:

If every alumnus of private colleges and universities would insist on looking at their current catalogue before giving their next annual donation, there would be a rapid realignment in higher education. Most success-

Kant seems to have had no sense of how quarrelsome we would become among ourselves.

ful people get an annual letter [from their alma mater] saying, in effect, Please give us money so we can hire someone who despises your occupation and will teach your children to have contempt for you. . . It is not just that [the donors] money is being wasted. It is being used to subsidize bizarre and destructive visions of reality. [The faculty is to blame.] These former radicals have now become the comfortable, all-purpose deconstructionists of American culture."¹⁰

This is the ongoing "culture war," a set of struggles within the academy with interesting ramifications beyond our gates

Kant seems to have had no sense of how quarrelsome we would become among ourselves, historian versus historian, philosopher versus philosopher. For us, it is simply the method by which we work. But might not such internecine strife itself become a threat to academic freedom from within? The culture wars, growing out of the great upheavals of the late 1960s, have this character.

The revolution in thinking that has produced these culture wars has had three principal, interconnected facets: feminism, multiculturalism, and postmodernism. My

concern with them here is the extent to which they threaten old, comfortable beliefs and practices in the academy by utilizing the academy's own tools: powerful arguments, empirical data, and cherished principles.

I will focus briefly on only one of these movements, postmodernism, or more precisely its post-structuralist form often linked to the contemporary French philosopher Jacques Derrida.

As it happens, Derrida has written a deconstructive piece on Kant's *Conflict of the Faculties*, his goal being to call into question many of our assumptions about universities.¹¹

Derrida's chief criticism of Kant goes to the heart of much talk about academic freedom. Kant, you will recall, distinguished between the theoretical, truth-seeking discourse of the philosophy faculty, on the one hand, and the policy-oriented, imperativist, action-oriented discourse of the so-called "higher faculties" on the other.

Derrida points out that Kant

needs . . . to trace, between a responsibility concerning truth and a responsibility concerning action, a linear frontier, an indivisible and rigorously uncrossable line. To do so he has to submit language [itself] to a particular treatment . . . In a way,

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Kant speaks only of language in *The Conflict of the Faculties*, and it is between two languages, between one of truth and one of action, between one of theoretical statements and one of performatives (mostly of commands) that he wishes to trace the line of demarcation.(18)

But this demarcation cannot hold water in the way Kant needs. The most theoretical of work done by us quarrelsome philosophers is still work. It takes place in a set of institutional arrangements that impress their marks upon the theory in a score of ways:

every text, every element of a corpus reproduces or bequeaths, in a prescriptive or normative mode, one of several injunctions: come together according to this or that rule, this or that scenography, this or that topography of minds and bodies, and form this or that type of institution so as to read me and write about me, organize this or that type of exchange or hierarchy to interpret me, evaluate me, preserve me, translate me, inherit from me, make me live on . . . Or inversely: if you interpret me (in the sense of decipherment or performative transformation), you shall have to assume one or another institutional form . . . Moreover, the interpreter is

never subjected passively to this injunction, and his own performance will in its turn construct one or several models of community. (21)

An example of what Derrida might mean: In her autobiographical book, *True North*, Jill Ker Conway writes how it was only after completing her Ph.D. in American history at Harvard on what was then an unusual topic (the lives of major women reformers in the late 19th century) that she came to a more radical insight about her own work.

Through her personal struggles to establish the academic propriety of a career as an historian of women, she began to see that womens history was standardly pursued in a parasitic fashion, as ancillary to the almost entirely male fields of political and constitutional history.

Hence, one might write or teach about “women in the time of the American Revolution,” ignoring the fact that real history of women had had its own important and quite distinct milestones, ones that concerned fundamental issues such as domestic production and fertility.

As Derrida might say, the standard texts in 1960 on womens history wore—just below their surface—the marks of the social organization of the culture in which they

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were produced.

With these interesting insights, elaborated convincingly over the past three or four decades by a variety of philosophers, historians, and sociologists, we come to a more profound level at which we in the academy are “quarrels of scholars”: Our work presupposes—only makes sense within—the framework of interpretive communities.

The physicist or the economist might be tempted to think that she looks at physical or economic reality directly and without distortion, but her looking is deeply mediated by theoretical frameworks that themselves are shaped by institutional, disciplinary structures.

As Derrida says, an institution “is not merely a few walls or some outer structures surrounding, protecting, guaranteeing or restricting the freedom of our work; it is also and already the structure of our interpretation.” (23)

Disciplinary communities may lack visible walls, but they have frontiers nevertheless, and to get into them—and how else is one going to become a professor?—you have to bring the necessary papers, a Ph.D. dissertation, principally, but also strong endorsements from your graduate school teachers.

And, to get the “green card” that allows you to stay, you have to convince your senior colleagues that your research and teaching

are up to snuff, up to the standards of the discipline. This always formidable task is made even harder when your work, as is common, is of the “Young Turk” variety.

Poststructuralist—or feminist or multicultural—“Young Turk” work raises the difficulty to a new height by its apparently ad hominem character, since it seems to the Old Guard to be saying:

You may think of yourselves as a community of scholars searching for the objective truth, but this pose—and it must be a pose, since there is no such thing as objective truth—is merely a mask for the continued oppression of women, minorities, and others who refuse to play the game according to your rules.

One reason this assault seems especially dangerous to its opponents in the academy is precisely because it calls into question the existence of an objective truth at which intellectual inquiry aims. In its place, poststructuralism posits an infinity of “perspectives,” ultimately to be judged not by their correspondence to reality, but rather by their political utility in furthering important emancipatory causes.

But the classical arguments for academic freedom—from Kant, Dewey, the AAUP—all stress the

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need for professorial liberty in the cause of truth. As Dewey put it, "The university function is the truth function . . . The one thing that is inherent and essential is the idea of truth."

Can the academy afford to surrender such a crucial notion? Furthermore, one may wonder if donors will support, or courts protect, the freedom of professors who openly belittle the search for truth and instead want the university to become the champion of the oppressed.

Yet to argue against poststructuralism on grounds of political expediency is, in fact, to play the very game it accuses the Old Guard of "really" playing behind the disguise of talk about "truth" and "free inquiry."

And there are better arguments: In arguing from the existence of a political dimension in the academy to the non-existence of knowledge and the ubiquity of politics and power, poststructuralism seems to me to commit a philosophical fallacy in its all-or-none insistence on sharp demarcations: Either an activity is truth-seeking or it is power-seeking, there is no middle ground.

Or, to take another fallacy, a common one these days: The resistance of an Old Guard professor to the Young Turk work of a poststruc-

turalist assistant professor is, and can be, nothing but power politics.

These arguments are fallacious, even though we in the Old Guard admittedly sometimes do fight dirty.

Let us concede that every personnel decision has a political dimension, that is, is a decision about the future composition and intellectual direction of the community. There is still a difference between making such a decision on primarily academic quality grounds and making it on the basis of the politics of the candidate, academic or otherwise.

This is, of course, not a clean difference. All sorts of subconscious reasons can sway someones vote.

But that the academy sometimes violates its own standards does not seem to me to show that it has none, or that its members are incapable of rising to the occasion and voting in a colleague whose work is just as undeniably good as it is uncongenial to the Old Guard.

In doing so, we make good on the promise held out in the notion of academic freedom, the promise of a community that is quarrelsome, indeed, but a community nonetheless devoted to truth and knowledge.¹²

This is the "burden" of academic freedom: The duty to become, to build, to maintain a community of seekers worthy of the protection

which academic freedom represents, a community whose necessary quarrelsomeness does not degenerate into the bitterness and pettiness that make fruitful debate impossible.

Those of us devoted to the notion of academic freedom do not need to lose sleep over the newly revealed complexities in the concepts of truth and knowledge. Perhaps, it is naive to think of any discipline converging over the long term on The Truth about history or philosophy or geology.

Nonetheless, we in the academy can hold our heads high and can continue to insist on the importance of our freedom—recognizing its concomitant burden.

Indeed, what poststructuralism may help us appreciate is that our justification, our *raison detre*, is not simply a matter of truth, but—crucially—a matter of virtues, of how we ought to live.

I mean the virtues of the intellectual life—that you do not falsify data, you do not use others results without acknowledgement, that you do not suppress evidence that casts doubt on your theories, and so on.

If pure objectivity about ones own work is impossible, a reasonable equivalent is submitting that work to the review of colleagues, especially those with orientations different from ones own.

As Plato and Aristotle knew so well, no community can exist, much less survive, without virtues that make possible a communal life.

Even thieves have their honor. And, happily, we in the academy are (almost) always much better than thieves, thanks to the special freedom and burden that are ours.

■

Endnotes

¹ Daniel Coit Gilman, *University Problems*, p. 35, in Hofstadter and Metzger, 1955, p. 377.

² Walter Metzger, in Hofstadter and Metzger, 1955, p. 279.

³ American Association of University Professors, 1915.

⁴ This was his *Religion within the Limits of Reason Alone*.

⁵ Kant, 1979, 7.

⁶ Dewey, .

⁷ Hofstadter and Metzger, 1955, p. 374.

⁸ Walter Metzger, in Hofstadter and Metzger 1955, p. 379.

⁹ Unfootnoted reference in Thomas Elmer Will (1901), "A Menace to Freedom: The College Trust," in Metzger, 1977.

¹⁰ Citations from Newt Gingrich, "To Renew America," in *The Chronicle of Higher Education* 1995.

¹¹ Derrida, in Rand, 1992.

¹² My remarks in the past two paragraphs owe much to the thinking of Joan Wallach Scott and Richard Rorty. See their essays in Menand, 1996.

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