

## **The Political Role of the Public University**

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### **What Is a University?**

The public university has a proper political role: it must, if only for properly self-interested reasons, openly support a culture of political liberty. Understanding the proper political role of the public university requires that we reconcile the demands of politics with the proper demands of the public university. If we are to understand the proper demands of the public university, we must first understand what a university is.

To understand what a university is, one might think to study institutions that describe themselves as universities and then come to a definition of the term by discerning the essential or common qualities that make an institution a university and not some other thing. Unfortunately, such a bottom-up, inductive approach cannot work in our day because of a significant divergence among universities in what they understand their mission to be. Some universities are dedicated to liberal education. Some are centered on vocational training. Some have a religious mission. Others see themselves as contributing to societal transformation by means of social justice activism. These aims are so different from each other that the only significant features that today's universities all have in common, and that continue to distinguish them from other institutions, are professors and students. And therefore, if we try to define what it means to be a university by examining institutions that call themselves universities, we must abstract both from the content of what is taught and from the goal that the university aims at. We must, in other words, abstract from the university's substantial purpose. And yet, if institutions in general are tools of human construction, then surely, as with any tool, an institution must be most centrally defined with reference to its substantial purpose.

Because what we call "universities" no longer share a common purpose (if they ever did), we must instead look for a definition, not to what universities are, but to what they should be. Universities are the institutionalized form of the highest activity within them. The highest activity is thought and not action. Action cannot be the highest activity of the university because thought

does not always lead to, or is not always intended to produce, action. That is, thought can be pursued for its own sake, for the sake of contemplation and not action.<sup>1</sup> When action is the goal of the university, thought must guide and evaluate action. However, the converse is not true; when thought is the goal of the university, action need not guide or evaluate thought. And even in cases where action is used to verify thought (for example, when experiments are used to verify scientific theories), action must nonetheless always be evaluated on the basis of thought. In other words, the results of an experiment must be thought through. When bad thought produces bad action, then that bad thought must be replaced by better thought intended to produce better action. Thought therefore has a ruling or governing function over action that action does not have over thought. Thought is therefore higher or more authoritative than action.

The kind of thought that a university properly aims at is knowledge of the truth, which is the highest fulfilment of the human soul, because knowledge of the truth exercises the highest faculty of the soul, that is, the faculty that raises it above the lower, merely animal aspects of the soul. The disciplines of philosophy and theology aim at the most comprehensive truth. Of course, philosophy and theology are not the only appropriate subjects of study at a university. We should understand modern natural science as a branch of philosophy. Modern natural science is therefore a proper subject of study at a university. Approached philosophically, the arts also become fit subjects of study. But as architectonic disciplines, philosophy and theology lay claim to being the highest, most important, and central disciplines of study.

If we consider the way in which philosophy is conducted, we can see that by the very nature of philosophy, philosophy's method and findings rest on a universal, unassisted human reason. The claims of philosophy are therefore open to all people. By contrast, theology is closed to non-believers. If theology is to be approached with the greatest seriousness, one must first be open to the faith that a particular theology explores. That is, one must study a religion as if it might simply be true. The claims of theology must therefore be confined to those who have voluntarily accepted the particular faith that underlies a theology. Despite this closed nature, theology makes comprehensive claims, and therefore it has a central place in a university. But it makes its claims only to those who accept the faith, and therefore it has no proper place in a public university operating under the strictures of the U.S. Constitution's Establishment Clause. The university is therefore properly understood as the institutionalization of, or an institutionalized form of, the

philosophic life and perhaps also the life of pious inquiry. And the public university is properly understood as the institutionalization of the philosophic life.

But the institutionalized form of the philosophic life is not precisely the same thing as the philosophic life. If a university is to remain an institution—that is, if it is to persist over time—it cannot rely on the appearance of actual philosophers engaged in the philosophic life. Such men are infrequent and their appearance is unpredictable.<sup>2</sup> The university must therefore rely on professors who are professionally trained from a cadre of students. It is the rare professor who is also a philosopher. But even so, professors who are not philosophers can be capable of transmitting philosophy from generation to generation, and thus they can make more possible the appearance and flourishing of actual philosophers. Professors do not, of course, live the philosophic life, in the most thoroughgoing and austere version of that life. In particular, the institutionalization of philosophy in universities means that we cannot expect professors to live like Socrates, in “ten-thousand-fold poverty.”<sup>3</sup> Few professors would philosophize in a condition of poverty, and therefore impoverished professors are inconsistent with the continued existence of universities. Professors must be paid. As we will see, this fact means that they are exposed to material and professional pressures by some who are unhappy with their ideas. Such pressures must be resisted because if it is to remain a university, the university, like the philosopher, must be radically open to truth and radically question all received opinion. In short, it must be Socratic. To the extent that a university pursues a Socratic mission, it can properly be described as a university. To the extent that it does not, it cannot properly be described as a university.<sup>4</sup>

With respect to the character of philosophy, we should note that by definition, philosophy is love of wisdom. It is not the possession of wisdom. Whether pursued by an individual philosopher or institutionalized in a university, philosophy is subject to corruption when the philosopher or professor loses sight of either its aim or its methods. Indeed, philosophy is perpetually at risk of descending into sophistry or dogmatism. And so, the university too is perpetually at risk of sophistry and dogmatism. It is also perpetually at risk of being distracted from its main aim (wisdom) in pursuit of worldly goals.<sup>5</sup> As Sidney Besvinick puts it, “if the university, voluntarily or under duress, undertakes duties and accepts assignments that do not relate to its purposes or detract from them, then the university loses its integrity and, at least in part, steps out of its characteristic role and ceases to be a university.”<sup>6</sup>

The understanding of a university that I have proposed is somewhat at odds with that of Cardinal Newman. Newman tells us that a university “is a place of *teaching universal knowledge*. This implies that its object is ... the diffusion and extension of knowledge rather than the advancement. If its object were scientific and philosophical discovery, I do not see why a University should have students.”<sup>7</sup> He goes on to distinguish philosophic research and teaching: “The nature of the case and the history of philosophy combine to recommend to us this division of intellectual labor between Academies and Universities. To discover and to teach are distinct functions; they are also distinct gifts, and are not commonly found united in the same person. He, too, who spends his day in dispensing his existing knowledge to all comers is unlikely to have either leisure or energy to acquire new.”<sup>8</sup> But in fact, no one can properly teach philosophy without the ability to evaluate critically the philosophy he teaches. For otherwise, he merely parrots views that he has not quite understood. The ability to evaluate a philosophy requires the ability to analyze and conduct research aimed at understanding. And so, there is no sharp dividing line between a philosopher and philosophy professor. All philosophy professors (should) aim at philosophic understanding. We can distinguish them from philosophers by noticing that originating (or discovering) a philosophic idea is different from merely understanding and evaluating it.

### **The Special Problem of Public Universities**

As a creature of the government, a public institution must be centrally concerned with the aims of the regime.<sup>9</sup> The aims of the regime are, first, self-preservation and, second, the advancement of its distinctive public goals. That is, a public institution is centrally concerned with self-preservation and more generally the preservation of the regime, and with the advancement of justice, as the concept of justice is understood within the context of the regime. We can see this in the typical mission of a public university: research, teaching, and *public service*, with the last understood as the promotion of a certain public understanding of justice.<sup>10</sup> Some scholars embrace the public service component of the mission of a public university to such a degree that they make it the central purpose of a public university. We see a striking example of this embrace in the “Wisconsin Idea” that marries academic research to progressive political reform.<sup>11</sup> Such scholars fail to see that they have subordinated the noble life of the mind to merely worldly concerns.

The subordination of the public university to the aims of the regime raises a problem. A public institution cannot be permitted the sort of radical openness that characterizes the life of the mind,

if that openness threatens the regime. In particular, because all regimes rest on their own particular understanding of justice, no public institution can question the regime's understanding of justice to the extent that such questioning threatens the regime. In other words, so far as the regime is concerned, with regard to the public university's mission of research, teaching, and public service, the first two might well come into conflict with the third. And so, we should not be in the least surprised to read accounts of scholars such as Dennis Fox and Ron Sakolsky, who complain of political micromanagement of the University of Illinois at Springfield (formerly Sangamon State University) by a Republican-controlled state government. The scholars identify themselves as radically left-wing and their school as a radically left-wing institution. As their account makes clear, they alienated their political masters with their radicalism, and earned for their troubles a political backlash.<sup>12</sup>

We arrive at an apparent contradiction in the notion of a public university. To the extent that a public university is a university, it must be radically open to alternative understandings of justice. To the extent that it is a public institution, it cannot be permitted to threaten the regime's understanding of justice. Some scholars disagree that such a contradiction exists or downplay the contradiction. Rebecca Lynch is in partial agreement and partial disagreement. She argues that the courts should defend academic freedom for professors: "[C]ourts protect professorial academic freedom rights when restriction of academic expression is not functionally necessary to the state's legitimate goals." But surely regime survival is one of "the state's legitimate goals." Thus, she appears to provide space for government restrictions on academic expression. But she goes on to write: "In fact, where the state's goals are critical democratic education or the promotion of new discoveries, academic freedom is not a hindrance but rather is crucial to the accomplishment of the state's mission."<sup>13</sup> This may be true, but these goals are a narrow part of the proper mission of the university. Other goals of the university might well hinder "the accomplishment of the state's mission" if those other goals are in contradiction to the state's mission. Hannah Forsyth makes a stronger claim in defense of academic freedom: "It is obvious to scholars that the public interest is compromised when academic freedom is undermined."<sup>14</sup> The "public interest" is a broader category than "the state's mission," and includes within it some understanding of the common good. And the common good is a goal that is higher than "the state's mission" because it is what any state's mission should aim at. Yet despite Forsyth's claim being stronger than Lynch's, it is simply false for Forsyth to write that her claim is "obvious." It is certainly obvious that research

is compromised when academic freedom is undermined. But to argue that the public interest is compromised is to imply that the research that flows from unimpeded academic freedom is always beneficial to the public. A moment's reflection shows that this view is false even with respect to the disciplines that most clearly lead to public benefits. For example, the scientific disciplines have given us tremendous benefits in healthcare, communication, and transportation, but they have also given us weapons of mass destruction. It may be *true*, but it is not at all *obvious*, that the existence of such weapons is a net public benefit.

Of course, it could be argued that in terms of philosophy and politics, the university aims at justice, which, unlike technology, is supposed to guarantee its own good use. Moreover, the tension between research and public benefits would perhaps not exist if there were a final, certain understanding of justice to which the university could dedicate itself. On this premise, more research would result in greater justice. But any such claim of final and certain status must be seen by the university as dogmatism and not knowledge, and therefore a departure from its goal of wisdom. Neither are attempts at incremental improvements in justice guaranteed to produce good results. Professors might be in error about their findings concerning justice, and might therefore unleash theories that cause grave public harm. For example (and drawing from both ends of the political spectrum) universities have at various times promoted both "scientific" racism and affirmative action in their efforts to advance the cause of justice. It would be difficult or impossible to find any individual who simultaneously believes that both theories have made America more just. In sum, research is risky to the public. In light of this, we must ask: Is free speech truly possible if speech must respect the boundaries of the regime's understanding of justice? The answer must be no. Any dangerous questioning of the regime must take place *sotto voce*, that is, in a manner apart from the open inquiry typically thought to be necessitated by the university's philosophical character. Public universities, like universities generally, are therefore restricted in what they can say.

And as a *public* institution, the public university presents us with a second problem: It is public, that is, funded by the government and therefore at risk of being co-opted by the government. Silence or apparent silence will not fully protect the public university; it must in addition be attentive to the positive demands that the regime and the regime's instrument, the government, make of it. It is therefore subject to corruption at the hands of the regime to the extent that the regime's demands conflict with or distract from the proper aims and methods of the public

university. We can see this in complaints from both the left and the right. Writing a few years ago, leftist James Slevin laments that “[n]onflagship state colleges and branch universities are being amalgamated increasingly to serve the defined purposes of the state (including serving industrial and postindustrial development). States’ interests are expressed and forwarded by legislatures directing, sometimes even micromanaging, educational matters through demands for accountability.”<sup>15</sup> From the perspective of the right, we can see a partial co-option of public universities in their support for the administrative state. In the right’s telling, the administrative state is an unconstitutional departure from republican self-government and an unconstitutional violation of the separation of powers.<sup>16</sup> Public universities have been drawn into propagating these alleged injustices by means of programs in “Public Administration” which train future administrative state bureaucrats.

A public university will therefore have little to no choice but to support with positive action the demands of the government and the aims of the regime. This might seem to make the idea of a public university an impossibility. But in fact, a public university is possible, and perhaps just as possible as a private university, because positive action is called for in the case of both public and private universities if only because, in addition to their higher and distinctive goals, both institutions must aim at self-preservation, and their self-preservation is more possible under some regimes than others. In particular, liberal democracy presents universities with the greatest opportunity for openness while placing the fewest (but not insubstantial) limitations on them. Universities therefore have an interest in promoting as open a society as possible, one most conducive to their continued survival.

The survival of any university depends on a significant degree of support by the regime for due process, free speech, free press, and a political culture that supports these political goods. In the absence of these political goods, a university is less able to carry out its mission. The good that comes from freedom of speech and freedom of the press is obvious. But due process is also essential. Due process directly protects dissident professors and students from persecution by the regime. It also indirectly protects dissident professors and students from persecution by school authorities. That indirect protection is a consequence of the tendency—apparent in our day—to extend the public benefit of due process to universities, both public and private. Strictly speaking, private universities should perhaps not be subject to due process requirements. But when public funding supports an institution, the tendency is for citizens to demand that public funds not support

institutions that treat their employees arbitrarily. A culture of legal due process among citizens therefore tends to produce due process protections for intellectual dissidents at both public and private universities. It is therefore in the self-interest of a public university for it to promote constitutionalism and a respect for civil rights and liberties, a self-interest which harmonizes with the interests of a liberal democratic regime.

The public university should also promote free speech, freedom of the press, and democracy. Indeed, it should promote as open a democratic society as is compatible with public order. An open, democratic society offers the greatest latitude to dissident opinion, if only because, as Plato argues in the *Republic*,<sup>17</sup> it takes all ways of life to be equally worthwhile. This democratic prejudice concerning openness works in favor of the university, for it permits it its particular concerns unmolested. In particular, philosophers within the public university can privately hold philosophy to be nobler than the regime does. Democratic equality leads to a toleration of supporters of nonpolitical aristocratic inequality. Speech and press freedoms therefore contribute to the maintenance of aristocratic institutions within a democratic polity.<sup>18</sup>

The public university's promotion of democratic openness might generate the objection that it makes the university a partisan of a particular regime. The proposal that I have described does indeed make the public university a partisan of a particular regime: liberal democracy. No university can be indifferent to the sort of regime under which it exists, because the regime quite clearly affects the capacity of individuals and institutions for philosophic reflection. We might here recall that in the *Apology*, Socrates was unwilling to leave Athens because he knew that he could not practice the philosophic life anywhere else.<sup>19</sup> The regime killed him, but, despite not being a liberal democracy in the modern sense, it was the most open of the ancient polities and it permitted him to philosophize until he was 70 years old.<sup>20</sup> He was in many ways a critic and certainly not a flatterer of the Athenian regime, but he also knew that its value to philosophy exceeded that of any other regime available to him.

A related objection would be that a partisan to a regime cannot be truly philosophic. Yet being a partisan to a particular regime is compatible with philosophic openness if one refuses to accept that thought and action are necessarily connected. Because the highest aim of the public university is thought and not action, it can tolerate and even express support for an imperfect regime and imperfect political action provided the regime tolerates the public university's highest aim. In other words, a necessarily imperfect liberal democracy is not the highest aim of the public university,



but rather a condition of its functioning. In supporting an imperfect means to its highest aim, the university does not necessarily compromise its highest aim. Indeed, it makes its highest aim more possible. By contrast, were liberal democracy to become the highest aim of the public university, then the public university would cease to be a university in the proper sense. So long as the regime is seen as a means and not an end, partisan allegiance to the regime is compatible with one's ultimate loyalty being to philosophy.

Moreover, in the case of the American liberal democratic regime, its particular character demands of its citizens a degree of philosophic openness and therefore partisan loyalty to the American regime that significantly overlaps with loyalty to philosophy. Alexander Hamilton tells us that the American regime is the product of "reflection and choice" and not "accident and force."<sup>21</sup> American citizens therefore have a special obligation to reflect as philosophically as possible upon their regime and the alternatives to it. In other words, the demand for an enriched civic loyalty to the American regime's origins challenges Americans to retrace and reflect upon the statesmanship that produced the regime. And that retracing and reflection should produce a philosophical openness both to liberal democracy and to the alternatives to it that were considered and rejected during the American founding. Political philosophy must therefore be a concern of the most thoughtful adherents of the American regime.

A further objection to my proposal would note that universities have flourished under prior regimes. And so one would be led to question why a public university must commit itself to one particular regime, liberal democracy. However, this objection is unsound. Every regime demands loyalty to itself; no regime is exempt from this requirement. And so no regime has ever been perfectly open. There are many sorts of regimes. But in light of the public university's interest in the greatest philosophic openness, it should especially support the most open regime. And because any open regime is perpetually at risk of becoming less open, the public university has an obligation to itself continuously to promote political openness and to contribute to a culture of liberty.

One might also object that liberal democracy is not necessarily the best regime. Perhaps one should favor aristocratic elevation of some people over the alleged flatness of liberal democracy. And so perhaps the university is being too self-interested or partial to itself in promoting liberal democracy. A reply to this objection would be to accept the premise that aristocratic elevation is desirable, and would point to the university as a mechanism for that elevation. Provided that a

university advances toward or accomplishes its mission of philosophic reflection and liberal education, it (together with other universities) elevates those best fit for elevation. In other words, the public university can be part of those elements of civil society that aim at broadening aristocratic excellence within a democratic polity. If one aims at the aristocratic elevation of a society, then the alternative to this sort of decentralized, non-regime-based elevation is a regime-based elevation of the society by means of legal compulsion. And that legal compulsion might have the effect of restricting the highest aims of the public university. The public university should oppose such legal compulsion. It should have the self-confidence that it can function as part of a network of institutions of higher education (and, more generally, as part of the various institutions of civil society) in pursuit of the general elevation of society.<sup>22</sup> Indeed, that proper public goal of higher education was perhaps the central argument of Allan Bloom's *The Closing of the American Mind*.<sup>23</sup> If higher education in our day is unable to contribute to the aristocratic elevation of the society because of its own defects (as Bloom's critique holds), then the response should be an internal reform of higher education, and not the promotion of an aristocratic regime to replace our liberal democracy.

This defense of aristocratic elevation within the context of liberal democracy might be met with the reply that liberal democracy may contain within itself the seeds of its own destruction. This is a radicalization of the previous argument, as if to say: Not only is liberal democracy low but it is headed for collapse. In a variation on this objection, liberal democracy will make of us Nietzschean last men. If this objection is sound, then it is a damning and decisive refutation of liberal democracy, because it implies that in its mature practice, liberal democracy is unjust. This is obviously a question of the deepest importance to liberal democrats. Answering it requires the very best scholarship and philosophic reflection, and the public university can be a part of that important research project. If we arrive at the answer that some alternative to liberal democracy is required, then the public university will have contributed to that important finding. In the meantime, a liberal democratic regime can offer public universities the freedom to investigate the defects of liberal democratic regimes.

A final objection would point to contemporary campus dysfunctions to help make the general point that the freedom offered by liberal democracy is not always used responsibly, often, and perhaps especially, in universities. This objection certainly hits the mark. In fact, and more generally, any freedom can be abused. In consequence, we permit and support restraints on our

freedom of action because we want to avoid harming each other. Actions (including some speech) can sometimes be connected to consequences as cause to effect. Where a clear cause/effect connection can be made between actions and harms, we can establish principled limits on how much we restrain the actions of our fellow citizens in an effort to avoid harms. In a liberal democracy, those principled limits are defined by the police power of government, or its power to restrain our actions for the sake of health, safety, and morals. But with respect to speech, caution is here in order. There are no principled limits in attempts to silence dissenting political or philosophic views, including harmful ones. While free speech can be used irresponsibly, legislative authority to stifle irresponsible speech can also be used irresponsibly. Whether we choose free speech or regulated speech, we will be exposed to irresponsibility. We must therefore choose the least dangerous of two paths to possible irresponsibility. The solution to cultural decay is a better culture, not legislative action that stifles free inquiry. That better culture can and should have as part of its support our universities, including our public universities. In brief, we should be cautious about giving up on liberal democracy and its freedoms because we don't like some of the abuses of freedom that we are witnessing in our day.

### **Conclusion**

Universities are fragile because it is a short step from philosophy to dogmatism, and from independent thought to conformism. As creatures of the state, public universities are especially fragile. The task of professors and administrators is to recognize this fragility. And it is also their task to recognize that notwithstanding their own very real and exceptional talents and accomplishments, most of them have a modest place in world intellectual history. They should be satisfied to preserve and transmit and, within their capacities, advance civilization by defending the life of the mind that universities have institutionalized. This task is inherently political. Having willed the ends, they must will the means. Those means include support for liberal democracy, a careful study of alternatives to liberal democracy, and a willingness to resist regime pressures. The life of the mind—the best life—demands nothing less.

## Notes

1. Nemetz 426.
2. Strauss, “What Is Liberal Education?” 3.
3. Plato, *Apology* 23c1.
4. Again, this philosophic mission can encompass modern natural science and the arts.
5. This, in turn, carries with it, among other risks, the risk of mediocrity. See Heimberger, especially 1085–1086.
6. Besvinick 568.
7. Newman ix; emphasis his.
8. Newman xiii.
9. This has been a constant idea in public higher education. See Chase, especially 65; and West 195–97.
10. John Scott counts six missions of universities. His descriptions of each of these six missions overlap sufficiently that all six could be redescribed as simply “public service” (Scott 4).
11. Garlough and Pryor.
12. Fox and Sakolsky.
13. Lynch 1063.
14. Forsyth 20.
15. Slevin 64.
16. Hamburger 2014.
17. See Plato, *Republic* 557b2–558c6.
18. Tocqueville 668–69 (III.4.7).

19. Plato, *Apology* 37b–38a.
20. Strauss, “What Is Political Philosophy?” 36.
21. Hamilton 27.
22. This general elevation should be conducted one person at a time. See Piel 150. We should be wary of proposals such as that of Anthony Nemetz, in which the university would lead an otherwise rudderless liberal society. See Nemetz 434.
23. Bloom.

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