Academic Freedom and the Poverty of Rights Talk[1]

Patrick Keeney[2]

*(**Received:** October 18, 2024; **Revised:** February 5, 2025; **Accepted:** February 5, 2025)*

Abstract

This essay critiques the dominance of rights-based discourse in contemporary liberal democracies, arguing that while human rights are essential for protecting individual dignity and promoting justice, the exclusive reliance on "rights talk" has negative consequences for public discourse, particularly in the university. It highlights how framing moral and political issues solely in terms of rights can hinder meaningful dialogue, reduce political deliberation to legalistic battles, and promote a hyper-individualistic mindset that undermines the intellectual openness necessary for academic inquiry. In higher education, the elevation of rights claims often stifles debate, marginalizes dissenting viewpoints, and fosters a climate of ideological conformity. Drawing from historical and modern critics, the essay emphasizes the need for a more balanced approach to public morality that includes communal values and virtues beyond individual rights. Exploring the limitations of rights language calls for a richer moral vocabulary that better supports both rigorous scholarship and open intellectual engagement.

Keywords: Rights-based discourse; academic freedom; public morality; human rights; liberal democracy

[1] This paper elaborates on a talk delivered at the Society for Academic Freedom and Scholarship Annual Conference in London, Ontario, on May 20, 2023. I want to thank Prof. Mark Mercer for the invitation to present these ideas. A Youtube of this talk can be found here: "Academic Freedom and the Poverty of Rights Talk" - Patrick Keeney (youtube.com)

[2] Professor, Independent Scholar
E-mail: pkeeney774@gmail.com

Introduction

Free speech is the lifeblood of the university, the very principle that allows it to fulfill its mission as a centre of knowledge, inquiry, and intellectual discovery. As institutions devoted to the pursuit of truth, universities flourish through open inquiry, vigorous debate, and the unfettered exchange of ideas.

Hence, free speech is the foundation of intellectual and moral development. It empowers us to think critically, confront complexity, and engage meaningfully with the world, ensuring that education remains not just a transfer of knowledge but a transformative force in shaping thoughtful, independent minds. If universities are to fulfill their role in shaping independent thinkers and engaged citizens, they must remain unwavering in their commitment to free inquiry and open dialogue.

This is why defenders of academic freedom sound the alarm whenever free speech is threatened on campus. Whether through external censorship or internal pressures to conform, restrictions on open expression undermine the university's core mission as a space for critical inquiry and intellectual growth. When scholars and students fear challenging prevailing orthodoxies, universities cease to be engines of discovery and become echo chambers of ideological conformity. A university that does not safeguard free expression fails not only its students and faculty but also its broader role in shaping an informed and engaged citizenry.

Many argue that liberal democracy contains internal contradictions that erode freedom of expression, limiting open debate even in the very institutions that should safeguard it. Alasdair MacIntyre (2007), for example, contends that the Enlightenment project of grounding morality in reason has failed. This failure has led to the incoherence of ethical language and the collapse of meaningful public dialogue. In his view, public discourse often lacks shared values or frameworks for understanding, turning it into adversarial and unproductive exchanges.[3]

Similarly, John Gray (2000) critiques universalist liberalism, particularly Rawls's *A Theory of Justice*, for assuming that impartial reasoning can resolve deep societal conflicts. Gray (2000) argues, "The project of a universalist liberalism – of which Rawls's *A Theory of Justice* is the most important contemporary version – is based on the belief that the deep conflicts of modern societies can be transcended by a process of impartial reasoning. In truth, they cannot be. There is no rational resolution of conflicts between incommensurable values."[4]

However, my thesis is that a frequently overlooked factor in the shrinking scope of public dialogue is the dominance of human rights discourse in our political conversations. In her celebrated 1991 book *Rights Talk*, Harvard philosopher Glendon (1991) observed that "genuine exchange of ideas about matters of high public importance has come to a virtual standstill."[5] The ubiquity of rights talk—with what she calls "the romance of rights"—has changed our habits of mind and speech so that the "time-honoured understanding that the people should decide difficult and controversial issues through their elected representatives ... began to fray." [6] In her pithy phrase, the test case was preferred to ordinary politics.

---

[3] MacIntyre, Alasdair. *After Virtue: A Study in Moral Theory*. 3rd ed., University of Notre Dame Press, 2007. The book was originally published in 1981, with subsequent editions reflecting MacIntyre's further developments of his arguments.
[4] Gray, John. *Two Faces of Liberalism.* The New Press, 2000, p. 2.
[5] Glendon, Mary Ann. *Rights Talk: The Impoverishment of Political Discourse*. The Free Press, 1991, p. 6.
[6] Op.Cit, p. 5-6.

In universities, framing complex moral and political issues solely in the language of rights comes at a significant cost. Paradoxically, while human rights are traditionally linked to free speech and academic liberty, an overreliance on rights discourse restricts open inquiry. When every debate is framed as a battle of competing rights, discussion becomes adversarial rather than exploratory, leaving little room for nuance, persuasion, or intellectual risk-taking. This legalistic mindset discourages scholars and students from engaging with controversial ideas as the emphasis shifts from debate and discovery to asserting entitlements and avoiding perceived transgressions. In the process, academic freedom is weakened, and the university—meant to be a space for rigorous intellectual exchange—risks becoming a forum for litigation rather than learning.

The Age of Universal Human Rights

Since, say, the publication of John Rawls' *A Theory of Justice* in 1971, Western societies have shifted towards a rights-based, deontological liberalism[7], emphasizing individual rights over the earlier utilitarian focus on the collective good. As a result, human rights have become central to modern political philosophy, a trend reinforced by the proliferation of charters, constitutions, and bills of rights since World War II.

Human rights are founded on acknowledging every individual's inherent worth and dignity, which is undoubtedly a moral good. As Samuel Moyn (2010) notes,

> When people hear the phrase "human rights," they think of the highest moral precepts and political ideals. And they are right to do so. ….The phrase implies an agenda for improving the world and bringing about a new one in which the dignity of each individual will enjoy secure international protection.[8]

The preamble of the 1948 Universal Declaration of Human Rights states that recognizing the equal and inalienable rights of all members of the human family is essential for promoting freedom, justice, and peace in the world: "[the] recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world."

At the heart of my argument is not a rejection of the ultimate aims of human rights but a critique of the irresponsible rhetoric that now dominates discussions about them. Put plainly, one can fully endorse the human goods that rights seek to secure while rejecting the notion that every debate on public morality must be framed exclusively in the language of rights, a tendency that is both unhealthy and ultimately corrosive to the body politic.

People often treat human rights as inherent, timeless truths, akin to religious first principles. Yet, our modern preoccupation with rights is a recent development, not an eternal feature of human society. The dominance of rights discourse—framing nearly every social conflict as a battle of individual entitlements—emerged only in the past few decades. The idea that human rights are the primary, non-negotiable foundation for justice and politics

[7] Deontological liberalism prioritizes universal principles of justice and individual rights over collective outcomes or societal goals. It is opposed to utilitarian or other teleological ethical theories. Drawing from Kantian ethics, it asserts that individuals should be treated as ends in themselves, with inviolable rights and duties independent of particular social or cultural contexts. This framework emphasizes the cultivation of autonomous moral agents capable of reasoning and adhering to universal moral laws, rather than being shaped solely by communal values or traditions.

[8] Samuel Moyn, *The Last Utopia: Human Rights in History*. Cambridge, Mass.: The Bellknap Press, 2010, p. 1.

is not self-evident but a product of historical forces, particularly the aftermath of World War II and the rise of global liberalism. As Moyn (2010) observes:

> It is striking to register how recently this program [of universal human rights] has become widespread. Over the course of the 1970s, the moral world of Westerners shifted, opening a space for the sort of utopianism that coalesced in an international human rights movement that had never existed before.[9]

The modern concept of *universal* human rights— as distinct from rights attached to individuals via their membership in a nation or religious affiliation[10]—grew from the Enlightenment era. However, they originated much earlier in the natural law tradition of Catholic theology, specifically from 13th-century canon law.[11] Some scholars even define the crux of modernity as the replacement of the natural law tradition with human rights.[12]

Setting aside the historical debate, my focus is on how the rhetoric of rights operates within the modern legal system and its impact on the university. In the contemporary West, public morality is largely framed through the lens of human rights. Many view this shift as a moral and social advancement—and in many ways, it is. Emphasizing human rights affirms individual dignity, upholds legal equality, and holds power to account. It also serves as a rallying point against injustice. These are undoubtedly valuable principles. However, the dominance of rights discourse in academic settings raises critical questions about its effect on open inquiry, debate, and the broader mission of the university.

Prioritizing human rights represents a significant shift in how citizens perceive their relationship with the government. Human rights grow out of a specific understanding of human nature, one which, like all theories of human nature, aims to promote certain conditions that are believed to contribute to human flourishing while discouraging others.

However, the conception of human nature embedded in rights discourse imposes a rigid framework that limits our ability to consider alternative perspectives. This discourse marginalizes other ways of interpreting human relationships, obligations, and social order by positioning rights as the fundamental and non-negotiable lens through which all moral and political issues must be understood. It discourages engagement with philosophical, cultural, or historical traditions that may offer richer, more nuanced depictions of human life, ones that emphasize duty, virtue, or communal responsibilities over individual entitlements. In doing so, the dominance of rights language not only narrows debate but also stifles the possibility of developing alternative moral and political frameworks that could offer deeper or more contextually appropriate insights into justice and human flourishing. As Glendon (1991) observes, "Other goods may not even be considered if they are difficult to articulate or cannot be expressed at all, just as our rights exist only when they are articulated."[13]

Human rights constrain our perspective because they are not neutral or universally self-evident concepts but rooted in specific historical and cultural assumptions about human

---

[9] Moyn, Ibid.
[10] Famously, the French Declaration of Rights asserts not the universality of human rights but the “Rights of Man and Citizen.”
[11] The Medieval Church’s legal system planted the seeds for the modern conception of human rights. See, e.g., Brian Tenney. *The Idea of Natural Rights: Studies on Natural Rights, Natural Law, and Church Law, 1150-1625* (1997). Tierney argues that medieval jurists, especially those in the 12th and 13th centuries, played a crucial role in shaping notions of rights that would later be foundational for modern human rights thought.
[12] In his celebrated book *After Virtue* (1981), Alasdair MacIntyre critiques the modern moral philosophy that followed the decline of Aristotelian and Thomistic traditions of natural law. He argues that modernity, with its focus on individual rights, fragments the coherent moral frameworks that natural law once provided.
[13] Glendon, Op.Cit., p. 12.

nature and the ideal conditions for human flourishing. Their framework carries normative implications that shape various aspects of social existence, including education, often in ways that go unquestioned.

What is particularly frustrating for those seeking alternative ways to discuss public morality is that human rights have become an all-encompassing narrative—so deeply embedded in our discourse that it is nearly impossible to escape. This dominance limits the scope of moral and political debate and marginalizes other frameworks offering different, perhaps more meaningful, approaches to understanding justice, responsibility, and the common good.

Ludwig Wittgenstein (2010) observed that language shapes—and often limits—our perception of reality, warning that we can become trapped within a particular way of thinking, unable to see beyond its linguistic constraints. The dominance of human rights discourse exemplifies this, not merely describing moral and political concerns but structuring them in ways that make alternative frameworks difficult to articulate: *"A picture held us captive. And we could not get outside it, for it lay in our language, and language seemed to repeat it to us inexorably."* (*Philosophical Investigations*, §115).

This conceptual captivity is especially evident in the language of universal human rights. When every issue is framed in terms of individual rights, moral discourse narrows, leaving little room for perspectives that emphasize collective responsibility, social cohesion, or the common good. Rather than fostering a richer, more diverse conversation about ethical and political issues, the primacy of rights discourse often crowds out alternative moral traditions—whether virtue ethics, communitarianism, or utilitarian considerations. Elevating individual rights as the ultimate moral standard risks obscuring other essential values, such as duty, shared sacrifice, and the responsibilities that bind communities together. As Michael Ignatieff (1984) points out,

> We forget about the range of needs that cannot be specified as rights and let them slip out of the language of politics. Rights language offers a rich vernacular for the claims an individual may make on or against the collectivity, but it is relatively impoverished as a means of expressing an individual's need for the collectivity. We are more than rights-bearing creatures, and there is more to respect to a person than his rights.[14]

In universities, the dominance of rights discourse has displaced essential virtues that sustain intellectual and moral life. Qualities like humility, trust, loyalty, and forgiveness have been overshadowed by a framework that elevates personal entitlements over communal responsibility. This shift has weakened the university's role in advancing knowledge and cultivating the ethical and social virtues necessary for meaningful discourse and collective inquiry. Restoring these values requires a renewed commitment to intellectual humility, open dialogue, and the recognition that education is about more than individual rights. It is about shaping responsible members of a broader political, intellectual, and moral community.

[14] Michael Ignatieff, *The Needs of Strangers* (Harmondsworth: Penguin Books, 1984), p. 13.

Rights Skeptics

The claim that there are universal rights that accrue to an individual and which exist outside of society has long been controversial. Skeptics include Edmund Burke (1729-1797), Jeremy Bentham (1748-1832), Karl Marx (1777-1838), and David Ritchie (1770-1831), all of whose objections to the French Declaration of the Rights of Man and the Citizen, remain relevant today. It is worth briefly considering their objections.

Burke, an early critic of natural rights, argued that these rights are too abstract to hold any concrete meaning. He believed that rights exist in a realm of "metaphysical abstraction," which leaves them vulnerable and alone. Additionally, Burke suggested that abstraction implies absoluteness, meaning rights cannot be tempered or compromised. Instead, Burke proposed that rights should be established through the "science of jurisprudence," which combines principles of original justice with the multitude of human concerns.

Bentham famously dismissed rights as “nonsense on stilts,” arguing that they must be grounded in the broader interests of society rather than treated as absolute, ahistorical claims. He saw the *Declaration of the Rights of Man* as a Pandora’s box, filled with vague assertions that lacked clear definitions. He labelled talk of inalienable natural rights as "terrorist language." Rights, he contended, are shaped by historical and social contexts and must be weighed against the needs of society. Similarly, Oxford philosopher David Ritchie, echoing Burke and Bentham, criticized the idea that rights exist independently of social and political realities. He argued that they cannot be formulated *a priori* but must emerge from the specific circumstances of time and place.

Marx held a deep disdain for the abstract concept of the "Rights of Man," believing that any notion of rights must be viewed in the context of human society. He saw the French Declaration as reflecting the liberty of an individual perceived as an isolated and self-contained entity.

Contemporary thinkers also express growing unease about the ubiquity of human rights as the basis for building a just society. For example, Caldwell (2020) argues that the language of rights inevitably promotes social balkanization and tribalism.[15] Michael Sandel (1998) argues that an ever-growing number of rights does not guarantee an overall moral improvement. [16] MacIntyre (2007) maintains that rights talk is a species of emotivism, such that ethical debates framed in the language of rights can never have a rational resolution.[17]

What happens when every debate on campus is framed as a clash of individual rights? The consequences for universities are profound. Rights-based liberalism, while intended to protect freedoms, often fosters an adversarial climate that stifles intellectual engagement.

At the heart of this issue are four key traits of rights discourse, long criticized by rights skeptics: its Protean nature, absolutism, legalism, and individualism. While meant to safeguard freedoms, these features often reduce complex debates to rigid, adversarial claims, stifling nuance and compromise. As skeptics have warned, this dynamic undermines civil discourse and academic debate. Universities now struggle with a culture where competing

[15] Christopher Caldwell, *The Age of Entitlement*: *America Since the Sixties.* New York: Simon and Shuster, 2020.
[16] Michael J. Sandel, *Liberalism and the limits of Justice*. Cambridge University Press, 2nd edition, 1998, p. 34
[17] Alistair MacIntyre, *After Virtue,* Op.Cit.

rights claims overshadow reasoned discussion, turning institutions of learning into arenas of entitlement rather than spaces for intellectual inquiry.

Contemporary Rights Talk and the Erosion of Academic Freedom

1. The Protean nature of rights talk

The Protean nature of rights talk—its limitless expansion—has eroded higher education. Once a safeguard for fundamental freedoms, it has devolved into a catch-all rhetoric that legitimizes personal grievances, often at the expense of open inquiry and intellectual rigour. As Jeremy Bentham warned, the language of rights opens a Pandora's box, where any trivial complaint can be framed as an entitlement. This dilutes the moral weight of rights and undermines the university's purpose: fostering inquiry, intellectual humility, and engagement with complexity. Instead of promoting debate, the inflation of rights discourse turns competing claims into absolutes, stifling compromise, nuance, and reasoned discussion.

This proliferation of rights has particularly insidious effects within universities. On campuses, rights talk has become a tool for activists to advance an ever-expanding array of demands. Students claim the "right" to express their opinions freely, to be addressed by their preferred pronouns, and to be protected from speech or ideas they find offensive. The elasticity of rights-based language allows for this contradictory stance—where the right to free expression coexists with the right to censorship—resulting in the suppression of open discourse and intellectual diversity.

The reliance on rights talk in higher education multiplies individual claims and turns subjective preferences into moral imperatives. This tendency transforms universities into battlegrounds where every personal grievance is elevated to a moral crisis. For example, demands for "safe spaces" or the "right" to be free from ideas deemed harmful or uncomfortable are not just requests for accommodation; they are framed as urgent ethical necessities. The protean nature of rights talk enables this inflation of personal desires into non-negotiable demands, eroding the space for reasoned debate and intellectual challenge.

The dominance of rights rhetoric has eroded the university's role in fostering critical thinking. Rather than engaging with competing ideas, students increasingly frame disagreements as rights violations, using rights language to silence dissent rather than to navigate complex ethical issues. This fosters intellectual conformity, where entitlement replaces inquiry and free debate.

Once bastions of open discourse, universities mirror a broader culture where every personal grievance is elevated to a moral claim. The result is a stifling academic environment where the language of rights obscures the distinction between genuine ethical concerns and trivial preferences. Reversing this trend requires moving beyond the ever-expanding rhetoric of rights and restoring a culture of debate, intellectual humility, and open inquiry.

2. The Absolutism of rights talk

The concept of rights has been characterized from the beginning by its firm and unwavering nature. In contemporary political discourse, rights are the focal point and are deemed universal, sacrosanct, and intrinsic. Burke was the initial proponent of recognizing their abstract and inflexible essence. However, current appeals for rights have been expressed using passionate and extreme language, more reminiscent of religious sermons than reasoned debate.

Drumond and Claudia (2018) address the absoluteness inherent in rights talk: "Human rights thinking and practice essentially perceive the world in binary terms of right or wrong, black and white … [in contrast] conflict resolution recognizes ambiguity and capitalizes on areas of grey existing in reality. Engaging with such "grey" risks creating a slippery slope of morality that is troublesome within a human rights frame."[18]

The language of rights is inherently rigid and uncompromising. This absolutism has eroded free expression in universities, replacing open debate with ideological conformity. As Edmund Burke observed, rights are framed as universal and inflexible, and today, they are often invoked with a near-religious fervour. This rigid approach stifles the nuanced, complex ethical discussions universities are meant to cultivate.

As Julio and Drummond observe, human rights thinking often reduces the world to rigid binaries—right versus wrong, good versus evil—leaving little space for the nuance and ambiguity essential to intellectual exploration. Universities, once havens of complexity and open debate, have instead absorbed the absolutism of rights discourse, silencing perspectives that challenge dominant ideological frameworks.

This shift has fostered an environment where certain ideas are judged as inherently harmful rather than part of a broader spectrum of thought deserving engagement. Instead of promoting critical inquiry, many institutions prioritize protecting individuals from offence over the free exchange of ideas. The result is a narrowing of discourse, where dissent is silenced rather than debated.

Rights-based language reduces complex issues to rigid entitlements, stifling the intellectual freedom universities are meant to uphold. Ironically, institutions that once championed open inquiry are now constrained by the absolutism of the discourse they have embraced.

3. The legalistic nature of rights talk

The legalism of rights has eroded free speech in universities, turning spaces of open dialogue into adversarial arenas where competing claims are framed as a legal conflict rather than a subject for intellectual or political discussion.

This legalistic mindset has fundamentally altered the role of free speech in higher education. Instead of fostering open debate and the clash of ideas—the essence of a university—campuses now mirror courtrooms, where competing rights claims are weighed against each other in zero-sum terms. As philosopher Gray (2000) observes, *"liberal political philosophy has become a branch of jurisprudence,"* a shift that has stifled the dynamic exchange of ideas and replaced it with a culture of legalistic confrontation rather than intellectual engagement.[19]

---

[18] Claudia Fuentes Julio and Paula Drumond, *Human Rights and Conflict Resolution Bridging the Theoretical and Practical Divide*, 2018, 24.

[19] The role of judges and courts has superseded that of elected officials and parliaments. This judicial presumption of granting rights that the legislature has intentionally denied has created what John Gray calls "anti-political legalism": "If there is a single characteristic that typifies liberal political philosophy in the United States over the past quarter of a century, it is its domination by a jurisprudential paradigm … The model of reasoning presupposed in this turn to legalism in recent American theory is the judicial interpretation of constitutional rights rather than the formulation of public policy in public discourse." Quoted in *Prophet of the end of liberalism: John Gray at 75. The Critic, 17 April, 2023,* by John Herman.

When rights are invoked in university settings, the focus often shifts from intellectual engagement to legalistic confrontation. For example, students and faculty who assert their "right" to be free from harmful speech effectively frame the debate in legal terms, turning a space meant for discussion into one where only one side can prevail. The outcome is often a binary decision: one side "wins" by having its rights validated, while the other "loses," their opinions dismissed as invalid. This approach eliminates the democratic principle of compromise. It shuts down further discussion, leaving little room for the open-ended exploration of ideas essential to a thriving academic environment.

Moreover, by framing free speech as a legal issue, universities undermine their role as places where students learn to engage with uncomfortable or controversial ideas. Instead of grappling with opposing viewpoints, students are encouraged to view speech through the lens of legal protection—either as something they have a right to express or something they have a right to be protected from. This narrow, legalistic view reduces the complexity of intellectual discourse to a simplistic clash of rights, discouraging the critical and nuanced thinking that higher education is supposed to promote.

The shift toward legalistic rights talk has had other detrimental effects as well. By outsourcing debates to the courts or administrative bodies, universities increasingly resemble bureaucracies where unelected officials or campus authorities arbitrate disputes over speech. The proliferation of various bureaucratic busy-bodies not only undermines the academic ethic of the university but also discourages self-governance among students and faculty, who are no longer trusted to navigate intellectual disagreements on their own.

Ultimately, the legalistic nature of rights talk in universities has turned what should be a vibrant marketplace of ideas into a stifling, adversarial space where free speech is curtailed. To restore the university's role as a defender of intellectual freedom, we must move away from the legalistic framework that prioritizes rights-based justice over open, democratic deliberation. Only by doing so can we re-establish the conditions necessary for genuine free speech and intellectual engagement on campus.

4. Individualistic

Mary Ann Glendon (1991) says that "rights, in our standard formulation, tend to be presented as absolute, individual, and independent of any necessary relation to responsibilities." [20]

The individualistic nature of rights talk has contributed to the erosion of academic freedoms by prioritizing personal entitlements over communal responsibilities and shared values vital for academic excellence. Liberalism, particularly in its rights-based form, emphasizes individual liberty and personal autonomy, often to the exclusion of collective identities and the public responsibilities that sustain healthy academic institutions.

In universities, this focus on individual rights has led to an environment where personal claims, such as the right to avoid offensive speech or the right to be recognized in specific ways, often override the communal goal of intellectual exploration. Academic freedom, which traditionally rests on the ability to discuss, debate, and challenge ideas without fear of reprisal, is now frequently curtailed by competing individual rights claims. This clash undermines the very purpose of higher education, which is to foster open and critical inquiry.

[20] Mary Ann Glendon, Op.Cit., 12

A significant aspect of this erosion lies in how rights-based discourse frames conflicts. Instead of seeing differences in opinion as opportunities for discussion and understanding, the individualistic framework transforms these differences into quasi-legalistic, adversarial battles over who has the "right" to prevail. This shift discourages compromise or dialogue, replacing them with the need to "win" or "lose" in rights disputes, diminishing the diversity of thought universities are meant to cultivate.

Additionally, the exclusive focus on personal rights disregards the communal aspects of academic life. Universities have traditionally been places where individuals come together not just to learn but as a *collegium*, that is, to create a shared intellectual culture. This culture requires an underlying set of shared values, such as respect for free inquiry, intellectual humility, and mutual trust. However, the influence of individualistic rights-based liberalism has marginalized the concept of a shared academic identity, complicating the establishment of an intellectual community that nurtures academic freedom.

The individualism of rights talk often overlooks the responsibilities that come with academic life—responsibilities to peers, institutions, disciplines, and the pursuit of knowledge itself. When discourse is dominated by rights claims, the duty to engage constructively with opposing viewpoints or contribute to a shared intellectual mission is weakened. Instead of fostering scholarly communities, universities risk becoming fragmented spaces where personal entitlements overshadow collective inquiry.

Liberal thinkers have long struggled to balance personal liberty with the need for shared belonging, a vital element of academic and intellectual life. Today, the absence of this communal ethos has impoverished university culture, where protecting individual sensibilities often takes precedence over the pursuit of truth. This reflects a broader failure of rights-based liberalism, which prioritizes the individual at the expense of the collective intellectual endeavour.

Rights talk has contributed to the erosion of academic freedom by elevating personal entitlements over communal responsibility. Restoring a true culture of inquiry requires recognizing the limits of this framework and reintroducing shared purpose and responsibility into academic institutions.

Conclusion

My goal has been to illuminate the dangers of imposing upon the university a public discourse steeped in the rigid, legalistic language of rights, a framework born of the law that, by its very nature, fails to encompass the depth and complexity of moral and intellectual inquiry.

This shift has profoundly altered universities, turning them from bastions of free inquiry into spaces where dissenting views are suppressed. Institutions once dedicated to intellectual diversity now promote ideological conformity, often policing opinions in ways more characteristic of authoritarianism than academia.

We must recognize both the value and limitations of rights discourse. Critics have long warned that abstract rights struggle to navigate real-world complexities. A more nuanced approach is needed; one that fosters open dialogue and intellectual freedom without reducing every conflict to competing entitlements.

While universal rights matter, universities must cultivate a broader moral framework that balances individual freedom with shared cultural values, intellectual humility, and a commitment to knowledge. Higher education should be a space for testing and refining ideas,

not one where rigid legalism dictates discourse. Moving beyond the adversarial logic of rights talk is essential to preserving the inquiry and debate that universities exist to foster.

Instead of framing every conflict as a zero-sum battle over entitlements, higher education must reclaim its role as a place for reasoned debate, where moral complexity is embraced rather than reduced to legalistic absolutes. Only by fostering intellectual freedom over ideological conformity can universities fulfill their essential mission: the pursuit of truth.[21]

[21] This paper is developed from a previous public plenary address delivered in Canada in 2023.

References

Caldwell, C. (2020). *The Age of Entitlement: America Since the Sixties*. Simon & Schuster.

Drumond, P., & Claudia F. J. (2018). *Human Rights and Conflict Resolution: Bridging the Theoretical and Practical Divide*. Routledge.

Glendon, M. A. (1991). *Rights Talk: The Impoverishment of Political Discourse*. The Free Press.

Gray, J. (2000). *Two Faces of Liberalism*. The New Press.

Herman, J. (2023). "Prophet of the End of Liberalism: John Gray at 75." *The Critic*.

Ignatieff, M. (1984). *The Needs of Strangers*. Penguin Books.

MacIntyre, A. (2007) *After Virtue: A Study in Moral Theory*. 3rd ed., University of Notre Dame Press.

Moyn, S. (2010). *The Last Utopia: Human Rights in History*. The Bellknap Press.

Sandel, M. J. (1998). *Liberalism and the Limits of Justice*. 2nd ed., Cambridge University Press.

Tierney, B. (1997). *The Idea of Natural Rights: Studies on Natural Rights, Natural Law, and Church Law, 1150-1625*. Eerdmans.

Wittgenstein, L. (2010). *Philosophical Investigations*. 4th ed., Wiley-Blackwell.