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Against the Politics of "Bullshit": Academic Freedom, Free Speech, and Democracy*

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Abstract

Contemporary attacks against academia make it necessary to define academic freedom. First, it is a protection against the powers that be, whether economic or political. Student demonstrations cannot threaten academic freedom, as they do not have the power to cut funding or dismiss professors. Second, the definition of academic freedom varies in different times and places, in particular concerning self-government and extra-mural speech. Third, academic freedom is not free speech. Both protect the right to say everything (within the limits of the law). But while free speech is a matter of opinion, academic freedom is a professional liberty, based on rejecting what philosopher Harry Frankfurt calls "bullshit": a radical disregard for truth. Of course, disciplinary logics risk constraining heterodox work. But academic freedom is necessary to preserve the democratic value of truth against the neofascist politics of "bullshit" — which is precisely why it is under attack.

Keywords: Academic freedom; Freedom of expression; Self-government; Disciplines; Neofascist bullshit.

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1 Academic Freedom against Institutional Power

In a 2010 article for the conservative journal *Commentaire* on what he then called *libertés universitaires* legal scholar Olivier classically defined academic freedom as "a protection against the intervention or interference of a third party, that is to say, by a power — whatever that power may be". At the time, he protested against the consequences of a new neoliberal law (LRU) that claimed to grant more financial autonomy to universities, while in practice it implied "subjugation to research programs imposed by external forces", and, in addition to "State control", "domination over academics, no longer by the central administration, but by the administration of their own universities" — in other words, a dual logic of bureaucratization and presidentialization of the academic world (Beaud, 2010a, pp. 180, 181 & 183; 2010b). Indeed, the powers that threaten academic freedom are both *inside* and *outside* academia; but either way, they are well *above.* That is how they weigh heavily on academics.

A decade later, after Donald Trump's first presidential term, Beaud's definition shifted. He now even-handedly rejected far-right initiatives such as the Professor Watchlist website, which compiles lists of academics in order to denounce their ideology as radical, and left-wing "cancel culture". "In the United States, academic freedom is threatened both by the identity politics of the Democratic left and the 'populist' Republican right. It is also threatened not only by the 'powers that be' [now used with scare quotes] but also and above all by various types of activist students" (Beaud, 2021, p. 19). According to him, "only one of the two currents, that of the defense of wounded identities (women, Blacks, homosexuals), that is, an aggressive type of cultural multiculturalism, seems likely to be an export from the United States", in France as elsewhere (Beaud, 2021, p. 48).

In the context of transatlantic polemics against "wokeness", Beaud's ideological stance against the academic left runs the risk of confusion between critique and censorship. While the latter is the exact opposite of freedom of expression, the former is its very principle. Jacques Derrida summarized Kant's position in *The Conflict of the Faculties*, a philosophical response to the condemnation issued to him by the new King of Prussia, Frederick William II: "Kant's definition of censorship is simple: critique endowed with power (*Gewalt*)" (Derrida, 1990a, p. 350). Conversely, when critique is powerless, it is, in effect, the opposite of censorship. Student protests may disrupt the freedom of speech of their classmates or professors, but not academic freedom *per se*. Activists defined (according to Beaud) by "wounded identities" may exert a real influence; but by definition, minorities do not hold power.

Two historical chapters in Beaud's book prepare the ground for his analysis of current events. One is devoted to McCarthyism in the United States. The "blacklists" did not spare the academic world (Schrecker, 1986). Not to mention numerous secondary school teachers, the repression cost hundreds, if not thousands, of academics their jobs. The other chapter, on May 1968 in French universities, deals with the mistreatment of eminent professors by students at Nanterre University. However, these demonstrators never had the institutional power to influence philosopher Paul Ricœur's career or that of his colleagues. The student protests of May 1968 did not result in the dismissal of a single teacher or professor. The power of the state and that of employers are quite literal. The real threat continues to come from administrative, economic, and political powers — both within and outside the university.

In the context of polemics against wokeness, Beaud's reference is now Sidney Hook's opposition between academic freedom and "academic anarchy" caused by the student movements of the 1960s: "The greatest potential threats to *Lehrfreiheit,* to the academic freedom of teachers and scholars, emanate today not from reactionary business tycoons or superorthodox ec-

clesiastics, or chauvinistic politicians but from American students themselves!" (Hook, 1970, p. 43). Invoking Hook to define academic freedom is paradoxical. In an op-ed in *the New York Times* on February 27, 1949, that is a year before Senator McCarthy became the face of repression, this former Marxist answered "no" to the question: "Should communists be allowed to teach?" His defense of the University of Washington's dismissal of professors was based on the idea that their allegiance to the party caused them to reject, in the exercise of their profession, the freedom to seek the truth. It was in the name of academic freedom that he justified depriving colleagues of academic freedom.

It is true that academics are threatened with violence today. This violence undoubtedly puts people at risk: a teacher, Samuel Paty, was decapitated on October 16, 2020. It can target teachers and professors because of their profession; this is why universities should grant them legal protection. However, the freedom of academics is not the same thing as academic freedom. Indeed, we must not confuse the violence of individuals with the power of institutions — threats against the person and attacks against their jobs. Yet this is what Beaud suggests in the few pages devoted to the threats of decapitation addressed to me on Twitter by a neo-Nazi, the very day after Paty's death. Admittedly, the blog post in which I soon revealed this incident was about "academic freedom at risk" (Fassin, 2024b, p. 167). However, this referred not to the threats themselves but to the political conditions that made them possible such as the words of the minister of National Education in response to Samuel Paty's assassination. In "a significant part of the French social sciences", Jean-Michel Blanquer claimed to find "intellectual complicity with terrorism". Academic freedom is a protection against power, not violence, and it concerns violence only insofar as it is fueled by power.

2 Singular Freedom and Plural Liberties

The French language makes it possible to speak in the plural of *libertés académiques* (Fassin & Ibos, 2021). Indeed, this is how academic freedom was used for the first (and so far, only) time in a 2020 law. On the contrary, Beaud pleads for the singular, just like in English, or in German (*akademische Freiheit*). That is why he gives up on the plural of *libertés universitaires* to favor the singular *liberté académique*: "There is only one idea of academic freedom" (Beaud, 2021, p. 178). He thus argues that it means the same thing in countries such as France or Germany, where universities are usually public, as it does in the United States, where they are often private. I start from the opposite observation. Depending on the country, but also on the era, and depending on whether it is a matter of law or university regulations, the definition of "academic freedom" differs in crucial points, as the list of liberties included within its scope varies. The consequences of these variations are as important politically as they are theoretically — hence the significance of a plural definition that facilitates international comparisons.

In the United States, the American Association of University Professors (AAUP) was founded in 1915, marking the advent of a profession that followed the rise of the country's universities according to a model that combined research and teaching. In the same year, after investigating multiple cases, this professional association published a foundational text, written by economist Edwin R.A. Seligman and philosopher Arthur O. Lovejoy: "Declaration of Principles on Academic Freedom and Academic Tenure". The AAUP later issued a new version, the 1940 Statement, and these two documents have laid down the principles of regulation for all colleges and universities in the United States to this day (AAUP, 1915 & 1940). This is indeed a professional definition. Just like everywhere else, it focuses on both freedom of research and publication, on the one hand, and freedom of teaching, on the other.

However, unlike the case law that was to develop in the United States after World War II, particularly in response to McCarthyism, it refers only to higher (not primary nor secondary) education.

As legal scholar Robert Post explains in a text that has greatly contributed to framing the terms of the discussion, the demand for academic freedom developed in reaction against university authorities (2006). The trustees on the board of directors believed they represented the interests of the private or public entities that funded universities, and therefore, the positions of academics. In other words, they behaved like employers (or their representatives) and considered professors to be employees. Thus, in 1900, Mrs. Leland Stanford had requested and obtained from the university that still bears her name the dismissal of an economics professor, Edward A. Ross, whose views conflicted with her values and interests. As a consequence, Lovejoy resigned from his position at Stanford University, while Seligman launched a pioneering investigation into this sensational case. This was the starting point for the 1915 Declaration.

For the AAUP, professors are not employees who can be dismissed at will: "The relationship of professor to trustees may be compared to that between judges of the federal courts and the executive who appoints them". This comparison resonates powerfully today — both for academia and for the judiciary. "University teachers should be understood to be, with respect to the conclusions reached and expressed by them, no more subject to the control of the trustees, than are judges subject to the control of the president, with respect to their decisions". Conversely, the trustees are no more responsible for the positions taken by academics than the president of the United States for the decisions of judges. In fact, according to the AAUP, trustees do not represent any particular interest; whether at a public or private university, they must defend the general interest. They cannot support one point of view to the detriment of another. Neutrality is expected of academic institutions — not of academics themselves.

Most of the signatories of the 1915 Declaration had studied in Germany — as did many French academics of that era. However, a century after the censorship imposed on Kant by the King of Prussia, a model of academic freedom had developed there during the Wilhelmine era. But the American version differed from this inspiration in three key respects, as a classic article by the jurist Walter Metzger clearly demonstrates (1988). First, the German definition included both the freedom to teach and the freedom to study. However, from the very first sentence of the Declaration, this is set aside in favor of the following: "Traditionally, the term 'academic freedom' applies to both the freedom of the teacher and that of the student, *Lehrfreiheit* and *Lernfreiheit*. It hardly needs to be emphasized that the freedom that is the subject of this report is that of the teacher". Contrary to *akademische Freiheit, academic freedom* is only the freedom of professors: the AAUP speaks out on behalf of the profession.

Secondly, the German version included a third term: *Freiheit der Wissenschaft*, or "freedom of science", which referred to "university self-government". This "institutional autonomy" was considered a necessary guarantee of the other two liberties, teaching and studying (Metzger, 1988). However, the US version does not include this third pillar: the president is appointed by the trustees. This is not self-government. The context is different: in Germany, professors were civil servants; in the United States, their counterparts most often worked in private universities. This explains why the 1915 Declaration combines two terms in its very title: *academic freedom* and *academic tenure.* In the American context, tenure is indeed a necessary component of academic freedom. The 1940 Statement repeats this title and asserts that "tenure is a means to certain ends; (1) freedom of teaching and research and of extramural activities, and (2) a sufficient degree of economic security to make the profession attractive to men and women of ability". However, it was only after World War Two that tenure became

widespread in American universities — a trend that has reversed in later decades.

To understand this difference between the conditions of university employment in the two countries, it is worth reading the opening of Max Weber's 1917 lecture, two years after the AAUP Declaration, on "Science as a Vocation". In Germany, you first had to be accredited by a university. *Privatdozenten* received no salary other than contributions from students, which therefore depended on their number, and access to a chair was both late and rare. As a consequence, "it is extremely risky for a young scholar without private means to expose himself to the conditions of an academic career". The German system is a "plutocratic" one. In the United States, the situation is the opposite: the beginning academic is paid from the outset (albeit modestly); but "the authorities will not hesitate to dismiss him if he fails to meet their expectations" (Weber, 2004, p. 2). Academic freedom thus takes on a different meaning depending on the conditions of the profession.

There is a third difference between these two academic systems. To the German perimeter (freedom of research and teaching), the 1915 Declaration adds another freedom called "extramural". The term can be confusing; this is not the same as *extra muros*, which refers to being outside academia. It is the right to speak beyond one's own narrow area of expertise. It could be called extra-disciplinary. Weber superimposes the two meanings: if the university lecture hall is not the appropriate place to impose one's political views, then "we must say" to the academic who wants to talk about politics, "go out into the street and speak to the public" (Weber, 2004, p. 21). The paradigmatic example, for Robert Post, is Noam Chomsky: this renowned linguist is also a fierce, and therefore controversial, critic of the United States' imperialism. He notes, however, that his forms of intervention, even in foreign policy matters, also respect the rules of academic rigor. In sum, while the AAUP Declaration omits German "self-government", it substitutes another third term, absent from the German definition: "extramural".

How does academic freedom in France compare to these two national models? The definition does not include *Lernfreiheit* either; actually, this is no longer the case in Germany today (Grampp, 2018). Nowadays, it is a matter of professional freedom everywhere, and therefore, of the academic profession. Secondly, "self-government" in the German tradition is one of the principles that organize the academic profession in France — unlike in the United States. It takes two complementary forms: co-optation, which involves the recruitment of professors solely by members of their discipline, and collegiality, which involves participation in decisions concerning the university. This point is important: in the United States, departments must content themselves with proposing tenure for approval by the unelected university hierarchy, which ranges from deans to trustees, while the presidents who appoint the former are appointed by the latter. In France, on the contrary, academics elect both their colleagues and the boards that govern their institutions.

What about the extra-disciplinary freedom of academics? Since the Dreyfus affair, at the origin of the figure of the *"intellectuel"* (historically masculine), this seems to be taken for granted in France. The same is not true in the United States, where the term "public intellectual" often deviates more from the academic model. This is probably why freedom outside academia is more of a theoretical problem than in France. Robert Post raises the question: if academic freedom protects academics as academics, based on their professional competence, does public speech beyond one's disciplinary expertise not fall under a different logic, namely that of freedom of speech common to all? Or is it always as such that academics intervene, with the specific requirements of their profession, even when exceeding their professional competence? The struggle of Pierre Vidal-Naquet, historian of Ancient Greece, against the Holocaust denial of a "paper Eichmann" would undoubtedly fall under the second logic; and his

engagement against torture during the Algerian War might best be justified under the first.

3 Academic Freedom and Freedom of Expression

Academic freedom is championed by academics: this comes as no surprise. As early as 1915, in the United States, its principles were defined by a professional association that proudly asserted the independence of the profession. But what about the law? While lawyers play an important role in the discussion of academic freedom, both in France and in the United States, the law is hardly present in their analyses. This is because academic freedom exists as a principle enshrined in custom, or even in university regulations, rather than in law. On the French side, everything is based on an article of the 1984 law on higher education: "Academics enjoy full independence and complete freedom of expression in the exercise of their teaching duties and research activities, subject to the restrictions imposed on them, in accordance with university traditions and the provisions of this law, by the principles of tolerance and objectivity". This article enabled the Constitutional Council, in the same year, to formally recognize the constitutional nature of the principle of independence for academics: "By their very nature, teaching and research not only allow but even demand, in the interest of this function, the freedom of expression of faculty and their independence" (Conseil Constitutionnel, 1984). According to this decision, academic freedom is not a privilege so much as a duty. However, the words "academic freedom" did not appear until a 2020 law that actually challenged the various liberties it comprises, starting with tenure, and self-government in its various dimensions.

Even in the United States, the discussion focuses more on the principle than on case law. In his book on "the principles of academic freedom", published with Matthew Finkin, legal scholar Robert Post makes only one or two brief references to the Supreme Court (2009). This is because, when it comes to academic freedom, the professional association is not talking about the same thing as the law. Walter Metzger strongly emphasizes this point in his title (1988): there are "two definitions of academic freedom" — professional and constitutional. In the United States, their histories are also different: while the AAUP's history in the academic world dates back to World War One, in law it only emerged after World War Two, in the context of the hunt for communists in both secondary and higher education.

This required breaking with a legal tradition summed up in a famous sentence by Oliver Wendell Holmes in an 1892 decision, *McAuliffe v. Mayor of New Bedford,* while he was presiding over the Massachusetts Supreme Court. He wrote that a police officer who was dismissed because of his political opinions "may have a constitutional right to talk politics, but he has no constitutional right to be a policeman. There are few employments for hire in which the servant does not agree to suspend his constitutional right of free speech, as well as of idleness, by the implied terms of this contract". Case law undoubtedly evolved during the McCarthy era. In 1952, in two Supreme Court opinions, while Justice Felix Frankfurter in *Wieman v. Updegraff* went so far as to write that teachers are "the priests of our democracy", William O. Douglas argued in *Adler v. Board of Education* that, when it comes to freedom of speech, "none needs it more than the teacher", because "the public school is the cradle of our democracy" (it was through this decision that the phrase "academic freedom" entered the legal vocabulary).

Nevertheless, the paradox of free speech in the United States is clear. On the one hand, this right is enshrined in the First Amendment: it is sacrosanct. On the other hand, it protects against legal action, but not against dismissal. In the private sector, discrimination on the basis of political opinions is not prohibited by any federal law; in many states, a business owner can publicly state their refusal to hire, for example, a "liberal" (but not a woman, a gay person, or

a black person, that is, "suspect" categories). Freedom of expression is therefore a protection against the state as such, not against employers. In France, the opposite is true. On the one hand, freedom of expression is not absolute: racist, anti-Semitic, sexist, or homophobic speech is subject to prosecution. On the other hand, much more so than in the United States, freedom of expression extends widely in the workplace. First, there are legal exceptions, starting with "values-based" organizations, in particular religious ones. Second, since the El Khomri law of 2016, the neutrality required in the public sector can be enshrined in the internal regulations of private companies. However, unlike in the United States, this does not concern the opinions of employees, but rather their expression in the workplace — in particular with regard to religious symbols (Hennette-Vauchez & Valentin, 2014).

In the United States, the jurisprudential definition of academic freedom has certainly advanced since the 1960s. However, this constitutional version remains profoundly different from the professional one. While for the AAUP, academic freedom concerns "all academics, but only academics", the courts now hold that professors enjoy its protection vis-à-vis their public employers, but not their private employers; and this right extends beyond higher education to all public education. It is therefore defined in a way that is both more restrictive and more extensive: not all academics, but not only academics. Thus, in addition to the chronological discrepancy, it is in their very logic that the two definitions diverge from each other: Walter Metzger considers them "seriously incompatible and probably ultimately irreconcilable" (1988, p. 1267).

The first, professional definition emphasizes the freedom of academics vis-à-vis their employers; the second, constitutional definition attaches greater importance to the freedom of universities in the face of political pressure. The professional definition, Metzger explains, refers to "institutional neutrality" (p. 1280). The university "may never collectively decide what is true or false" (p. 1320); it is therefore not accountable for the positions defended by academics — who, as we have seen, are not affected by neutrality as individuals. For the Supreme Court, on the contrary, the second definition of academic freedom replaces neutrality with "institutional autonomy" (p. 1280). A 1972 decision, cited in this article, sums up the dilemma facing the courts: "There is a fundamental tension between the academic freedom of the professor as an individual, who must be free from the constraints of the university administration, and the academic freedom of the university, which must be free of government, including judicial, interference" (p. 1311).

The freedom of expression on which court decisions are based, derived from the First Amendment, cannot therefore be confused with academic freedom as defined by the profession. This distinction is at the heart of Robert Post's argument: "Over the past half-century, the United States has developed a culture of rights". However, Post, who works with the AAUP, objects to such a "model of individual rights, which, according to the First Amendment, are possessed by 'all citizens in a free society' " (Post, 2006, p. 62). According to the 1915 Declaration, what justifies professional freedom in a democratic society that recognizes the importance of knowledge is "the primary responsibility of the university professor to the public". It is therefore not a purely individual freedom; what justifies the academic "enjoying liberties that other members of the public do not have" is that these serve a "social good" (Post, 2006), or even "the common good" (Finkin & Post, 2009).

Calling for academic freedom rather than free speech was anything but obvious in the American political context. The offensive against so-called "political correctness" had indeed opened the 1990s, just as the offensive against cancel culture would for the 2020s. However, this attack on academic freedom was, as would also be the case thirty years later, carried out in

the name of free speech. Chester E. Finn, Secretary of State in the Department of Education under President Ronald Reagan, denounced the campus as "an island of repression in a sea of freedom" (1989). This was on the eve of the fall of the Berlin Wall and thus at the end of the Cold War: the ideological feud, or "culture wars", would be fought more than ever on the home front.

It was in response to this political offensive that a collective work by leading intellectual figures was published in 1996 on "the future of academic freedom". As if to reconcile the two kinds of freedom, one of the three parts is devoted to both "speech codes", regulations aimed at banning "hate speech" from campuses, and to a critique of Critical Race Theory in the name of "free speech" (Menand, 1996). In a different vein, Joan W. Scott's contribution to this volume reflects on academic freedom, a topic that this feminist historian continues to explore today, almost thirty years later. This resonates with her personal experience: her father, a high school teacher and "unconditional admirer of Thomas Jefferson, the Bill of Rights, and the Constitution", was fired in 1953 for refusing to cooperate with the authorities in their hunt for communists. "In the tallying of losses he experienced in that period — his job, his pension, his financial security, many colleagues he had once considered friends — none was so painful as the loss of his academic freedom" (Scott, 1996, p. 163). Since then, just like Post (2006), Scott has argued for a distinction between academic freedom and freedom of speech. The issue is not only theoretical; it is inseparably political. Indeed, as she explained in 2017, "these days, free speech is the mantra of the Right, their weapon in the new culture war" (Scott, 2019, p. 114).

This has been evident recently in the offensive against "cancel culture", "wokeness", and "left-wing McCarthyism": intolerance is said to be left-wing, while freedom of expression would be on the right. Freedom is therefore said to be on the side of hate speech (though Charlie Kirk's assassination in September 2025 might end up reversing the right's familiar rhetoric in defense of free speech, as Donald Trump accuses the left of inciting violence with its own form of "hate speech"). As media scholar Gavan Titley reminds us, "far-right movements in Europe and the US have long established histories of appropriating the language of civil liberties and human rights"; today, "the capture of free speech aims to create space for racist speech as a beleaguered expression of liberty, but it goes further. It makes instrumental claims for the value of that speech as a 'taboo' truth, a truth rendered unfree by the official hegemony of anti-racism" (Titley, 2020, p. 24).

In the United States, Michael Bérubé and Jennifer Ruth go even further: what if it were time to conclude that the definition of academic freedom needs to be revised? Why not deprive racist professors of this privilege? Does not Critical Race Theory invite us to question this liberal vision, which, in the name of tolerance, risks playing into the hands of racism? Their book thus opens with a question: "Does academic freedom extend to white supremacist professors?" The problem is "apologists for colonialism and slavery who claim to be speaking and writing on the basis of their scholarly expertise". According to the authors, "this is not free speech" (Bérubé & Ruth, pp. 1 & 4). However, restricting academic freedom in this way is not without its difficulties. The risk is not only that it will fuel accusations of "left-wing McCarthyism"; it is also, and above all, that it will, in turn, legitimize attacks by right-wing McCarthyism — against critical knowledge. If academic freedom does not protect racist academics, what will prevent attacks on Critical Race Studies, which the right wing accuses of racism? Of course, it may be too late already.

4 Academic Freedom and Disciplinary Standards

To escape this trap, we need to address one question: what is the basis for the claim to academic freedom? Or, more precisely, what is the basis for the authority of the profession? According to Robert Post, while academic freedom aims at "the common good", it is based on one principle: competence. This is what differentiates it from freedom of expression: the latter refers to opinion, the former to knowledge. The point is not to promote a democracy of experts as opposed to a democracy of opinion. Post founds democracy on two pillars: opinion and knowledge. These are two different, even opposing, logics: "Democratic legitimation requires that the speech of all persons be treated with toleration and equality. Democratic competence, by contrast, requires that speech be subject to a disciplinary authority that distinguishes good ideas from bad ones". He is aware of the tension between the two, but he sees it as an integral part of democratic expression: "Democratic competence is thus both incompatible with democratic legitimacy, and required by it" (Post, 2012, p. 34).

Post feels the need to make this distinction because, in the United States, with the First Amendment, the law has reduced academic freedom to free speech. An economic metaphor runs through the case law on this subject. In 1919, in a minority opinion of the decision *Abrams v. United States*, Justice Oliver Wendell Holmes Jr., who was then sitting on the U.S. Supreme Court, defended the right of a Russian anarchist, in the midst of World War One, to express his pacifist views: "The ultimate good desired is better reached by free trade in ideas — that the best test of truth is the power of the thought to get itself accepted in the competition of the market". What would soon become known as "the marketplace of ideas" does not distinguish between ideas according to their value, good or bad — except ex-post. Academic freedom, on the other hand, is based on the fact that ideas are evaluated ex-ante, with peer review. In the academic world, one must be evaluated by one's peers. In other words, the judgment of the profession replaces the verdict of the market. Yet this is precisely what disappears in media "debates".

Academic freedom is therefore inseparable from academic authority. Historian Thomas Haskell (1996) reminds us that "no one outside the professional community is fully competent to judge matters that fall within the purview of that community". According to him, this competence is strictly disciplinary. That is why it is not necessary to examine fossils oneself, or to have carefully read the work of Charles Darwin, not to mention the debates since *The Origin of Species* (1859), in order to adhere to the theory of evolution. "We believe because we trust biologists". In other words, we defer to the authority of the discipline. If, on the contrary, we relied on freedom of expression, "it would not be at all easy to justify the exclusion of 'creation science' from the curriculum. After all, when biblical literalists say that evolution is 'only a theory', they are not wrong. Like all scientific theories, Darwin's is contestable and will one day be superseded". The simple reason we accept it is that, unlike creationism, "it enjoys the support of a strong consensus of competent biologist investigators" (Haskell, 1996, pp. 54–55).

Louis Menand's introduction is situated in the context of attacks on "political correctness" and multiculturalism on the one hand, and postmodernism on the other. For this literary scholar, neither of these two currents poses a pedagogical, epistemological, nor political problem. The danger is quite different. Following a pragmatic logic, he highlights the organizational issues at stake. He explains that both multiculturalism and postmodernism undermine the foundations of disciplinary authority. These disciplines are undoubtedly not intellectually indispensable. The emergence of numerous interdisciplinary fields of research, from gender and race studies to science and technology studies and cultural studies, bears witness to this.

However, they remain so within the organization of universities: it is the departments, and the disciplines to which they belong, that constitute the spaces in which rival scholarly and pedagogical positions are negotiated. Academic freedom not only protects sociology professors from the interference of trustees and public officials in the exercise of their jobs as teachers and scholars; it protects them from physics professors as well. It mandates that decisions about what counts as good work in sociology shall be made by sociologists. And, practically speaking, "sociologists" means the department of sociology. That is the "self-governing professional community". If disciplines lose their authority, administrators "will be delighted", as this will "give them far greater control over the creation and elimination of staff positions" (Menand, 1996, pp. 17–18).

To save academic freedom, must academics rally, as one "man", so to speak, under the banner of disciplines? What then becomes of new fields of study that transcend disciplinary barriers? It is no coincidence that Joan W. Scott, a leading figure in one of these multidisciplinary fields, gender studies, questions the disciplinary nature of disciplines in the same volume (Scott, 2016, pp. 169 ff.). Of course, there is a positive side to this; but "the inseparable other side of that regulatory and enabling authority is that it secures consensus by exclusion". What is thus excluded is "difference", whether in the theoretical or methodological approach (such as the empiricist rejection of theory in history), or in relation to the typical figure of the scholar ("white, male, for example"). If disciplines are often defined as "communities of the competent", the disciplinary consensus they produce inevitably involves forms of relegation outside the community.

This argument by Joan W. Scott anticipates her criticism of "border patrol" (Scott, 1998), that is, the disciplinary logic defended by historian Gérard Noiriel, who accused her of "deliberately choosing to place herself outside the 'normal' competencies of her professional community" (Noiriel, 1996, p. 147). This discussion articulates epistemology and academic freedom. "Disciplines are a lot like nations; they are complex, conflicted, divided communities that, these days, must learn to negotiate differences among members rather than continue to legislate sameness. Successful negotiation involves debate and disagreement, not the silencing of dissident voices. Critical ferment ought to be encouraged, not stopped; it will not dissolve the community; it will, rather, keep it intact". The discipline imposes an orthodox norm, which at the same time downplays heterodox positions and knowledge. "The ambiguity of discipline is unavoidable: the institution of the discipline, which protects the academic freedom of individuals, also operates to deny some of them that freedom" (Scott, 1996, pp. 390 & 397). Since it is based on professional norms, academic freedom cannot protect against their normative effects. Or to put it another way: academic freedom can only exist by turning a blind eye to power relations within the discipline and beyond, in the profession.

Post (2006) did address the issue raised by Scott. His plea for academic freedom is based on the authority of the profession: " 'Independence of thought and utterance' is essential to the advancement of knowledge only when it is exercised within a framework of accepted professional norms capable of distinguishing work that contributes to knowledge from work that does not". But "professional norms are also themselves forms of knowledge that are best advanced when debated with the kind of dissent that requires academic freedom" (Post, 2006, pp. 74–75). To take an example that has had particular resonance in France, both the sociology of the family and the anthropology of kinship have been challenged by "the inversion of the homosexual question", i.e., questions about the unspoken assumptions of these disciplines in light of demands for equality, from civil unions to same-sex marriage, and beyond (Fassin, 2008 & 2020). Political protest has thus fueled criticism of the implicit or explicit norms of the

social sciences, a protest from which these disciplines have benefited.

Post clearly states the "paradox" (Scott's word): "On the one hand, it is plainly unacceptable to imagine that professional norms ought to be uniquely immune from criticism and disagreement. On the other hand, it is also plainly unacceptable to believe that professors possess academic freedom to violate professional norms at will. Without institutional processes of peer review that apply 'accepted intellectual standards', the very justification for freedom of research and publication is undermined, because that freedom is severed from the production of knowledge. There can be no 'equality of status in the field of ideas' within universities, at least" (Post carefully concedes) within universities as we now know them" (Post, 2006, p. 76).

In the same collective volume, however, Judith Butler responds to Post, whose disciplinary optimism they do not share. "If we are to preserve academic freedom", one of two things is true: "Either professional norms are necessary restraints that we ought not to question, or professional norms have to bear internal scrutiny". It is, of course, the second option that this philosopher defends. "As long as voices of dissent are only admissible if they conform to accepted professional norms, then dissent itself is limited so that it cannot take aim at those norms that are already accepted and, hence, cannot inaugurate or innovate new fields or disciplinary paradigms. To limit forms of dissent in advance to those that conform to existing norms is to safeguard those very norms against dissent, not only imposing a certain censorship on the reach of dissent, but also undermining the creative power of dissenting views to initiate new fields of knowledge and new disciplinary or cross-disciplinary paradigms". Butler speaks from experience, given the resistance that the philosophical community has shown to gender studies, and in particular to their perspective. If we accept Post's point of view, Butler summarizes, "either we accept common standards, or we devolve into a form of individualism that leads academics to think that they are entitled to academic positions as 'rights' " (Butler, 2006, p. 114).

However, according to Butler, "this view fails to acknowledge that norms are themselves in vital and constant tension with one another, that existing conflicts among norms are very often the theme and subject of academic work, and that innovation in academic life depends in part on invoking and elaborating new norms over and against established fields of knowledge". In a word, we need to consider "dissension as the norm" (Butler, p. 117) — not an exception relegated in the margins of academia. Butler ironically concludes this critique of a liberal definition of academic freedom with a reference to John Stuart Mill's reminder of the "memorable collision" that cost Socrates his life: "Let's remember that this collision was with not only the state and, to a certain extent, public opinion, but also with the professional norms of the time that dictated how and in what form thinking was permitted to occur" (Butler, p. 141).

It is true that academic freedom is inseparable, both historically and in principle, from critical thinking: there is little need to protect knowledge that does not disturb anyone. The 1915 Declaration thus reminds us that a teacher "should, above all, remember that his business is not to provide his students with ready-made conclusions, but to train them to think for themselves, and to provide them access to those materials which they need if they are to think intelligently". It goes on to quote favorably a university president who lamented that "certain professors have been refused reelection lately, apparently because they set their students to thinking in ways objectionable to the trustees. It would be well if more teachers were dismissed because they fail to stimulate thinking of any kind. We can afford to forgive a college professor what we regard as the occasional error of his doctrine, especially as we may be wrong, provided he is a contagious center of intellectual enthusiasm. It is better for students to think about heresies than not to think at all".

The founders of the professional association outline a historical analysis. "In the early pe-

riod of university development in America, the chief menace to academic freedom was ecclesiastical, and the disciplines chiefly affected were philosophy and the natural sciences. In more recent times the danger zone has been shifted to the political and social sciences". This is because in these fields "almost every question, no matter how large and general it at first appears, is more or less affected by private or class interests", while "the governing body", "benefactors, as well as most of the parents who send their children to privately endowed institutions, themselves belong to the more prosperous and therefore usually to the more conservative classes". Thus, "the points of possible conflict are numberless". The 1915 Declaration therefore concludes: "It is precisely in these provinces of knowledge in which academic freedom is now most likely to be threatened, that the need for it is at the same time most evident".

The problem arises when criticism focuses on disciplines whose authority is fundamental to academic freedom. Like Post, Butler engages the dilemma analyzed by Joan W. Scott: "Is academic freedom useful only as a protection against interference from outside the discipline, from government agencies, trustees, administrators, affirmative action officers, and sexual harassment counselors? Or can it be deployed to settle intradisciplinary conflicts? The answers are difficult and not clear-cut, intensifying the sense of crisis occasioned by the current tendency to equate discipline with orthodoxy and criticism with politics". Academic freedom may not be the best instrument to deal with the dilemma of discipline. In fact, this is a "strategic" question: "Academic freedom endorses an ideal of scholarly activity that is blind to power in order to be able to see how power is abused in particular cases". In academic freedom, Scott concludes, "blindness and insight are thus crucially interdependent" (Scott, 1996, pp. 33–35).

5 Saying Everything…

In 1998, at Stanford University, Jacques Derrida gave a lecture that was soon published as a book. It is a "professor's profession of faith" for "the future of the profession"; it could also be a program for radical academic freedom: "The modern university should be unconditional". Indeed, "the university professes the truth. It declares and promises an unlimited commitment to truth". The philosopher is well aware that criticism of truth also comes from the university: is this not the criticism often leveled at postmodernism — and deconstruction? "No doubt the status and future of truth, like the value of truth, give rise to endless discussions", he acknowledges, "but this is precisely what is discussed, in a privileged way, *within* the university". This is why the university "should be recognized in principle, in addition to what is called academic freedom, as having *unconditional* freedom to question and propose, and even more, the right to say publicly everything that research, knowledge, and thinking about *truth* require" (Derrida, 2001, pp. 11–12).

Of course, "this unconditional university does not exist, *in fact,* we know that all too well. But in principle and in accordance with its stated vocation, by virtue of its professed essence, it should remain a final place of critical — and more than critical — resistance to all dogmatic and unjust powers of appropriation". How should we understand this parenthetical phrase: "More than critical"? "I appeal to the right to deconstruction as an unconditional right to ask critical questions not only about the history of the concept of man, but also about the very history of the notion of critique, the form and authority of the question, and the interrogative form of thought" (Derrida, 2001, pp. 14–15). Here we find, in a radical form, the questions raised by Butler: it is about questioning professional standards, including the normative effects of deconstruction. In other words, it is an extension of academic freedom: we should add

unconditional freedom, that is, a critique of the disciplinary nature of professional standards, and even, in a reflexive gesture, a critique of critique itself.

Thus, the work of critique is truly endless. The censorship faced by critical thinking is not solely the effect of sovereign power, to use Michel Foucault's words; in fact, power also consists of diffuse standards, both inside and outside the profession, which define the limits of what is "thinkable" and "unthinkable". Paradoxically, it was Kant, as Derrida reminds us, who provided the starting point for this radical expansion of academic freedom. "The King of Prussia had recently called him to order. A letter from Frederick William reproached him for having misused his philosophy by distorting and belittling certain dogmas in *Religion within the Limits of Reason Alone*" (Derrida, 1990b, p. 401). This was indeed censorship. After the sovereign's death, Kant responded to his letter in *The Conflict of the Faculties*.

But what about the historical moment of this lecture that Derrida gave for the centenary of Columbia University's Graduate School? "There may be some among us who dream in 1980 of receiving such a letter, a letter from a prince or sovereign that would at least make it possible to locate the law in a body and assign censorship a simple mechanism, in a specific, unique, punctual, monarchical place". But today, "especially in the regions where we live, it seems that there is no longer any censorship in the strict form we have just mentioned: academics are no longer prohibited from publishing a speech by a government decree (royal in this case) based on the opinion of a censorship commission composed of other academics appointed by the state. It would nevertheless be naive to conclude that censorship has disappeared" (Derrida, 1990b, p. 402).

Indeed, "how can we deny it? There are things that cannot be said in the university — and outside the university. There are certain ways of saying certain things that are neither legitimate nor authorized. There are simply 'subjects' that cannot be studied, analyzed, or worked on in certain university departments" (Derrida, 1990b, p. 402). This critique of institutional censorship is not merely theoretical. Derrida refers to a para-institutional structure he has just co-founded: "When an institution (I am thinking here of the recently created *Collège International de Philosophie*) proposes to give priority to research that is currently not legitimized or insufficiently developed in other institutions (French or foreign), what does this mean, if not a challenge to censorship?" For the philosopher, "it is a question of privileging access to those 'things' that are not allowed to be said or done in current institutions" (Derrida, 1990a, pp. 347–348).

Admittedly, this "principle of unconditional resistance", which is espoused, for example, by the *Collège International de Philosophie*, "could pit the university against a large number of powers". It is therefore a question of powers — all powers: "state powers", "economic powers", "media, ideological, religious, and cultural powers, etc." At the same time, for Jacques Derrida, "the university is always censored and censoring". This is true of all institutions (including the most anti-institutional ones): "In truth, one cannot construct the concept of institution without including the censoring function". It is in the context of this argument, and in today's historical context, that we can re-examine the utopia of a "university without conditions". The definition is simple: "The fundamental right to say everything, even if it be fiction or an experiment in knowledge, and the right to say it publicly, to publish it" (Derrida, 1990a, p. 15).

But what about today? We are clearly not done with political censorship, in the usual sense of the word. Far from it: it is making a strong comeback. We may thus feel nostalgia, not for Kant's era, but for Derrida's — not only for less state censorship, but also for the possibility of creating alternative institutions such as the *Collège International de Philosophie*. What characterizes our moment, in fact, is that the King of Prussia is in drag. The sovereign no longer claims

censorship; he poses as the defender of freedom. Think of Javier Milei in Argentina: "Long live freedom, dammit!" (*¡Viva la Libertad, carajo!*). In many countries, whether it be the monarch, media pundits, or sometimes colleagues, censors now claim to fight for freedom of expression in order to better undermine the foundations of academic freedom. It is therefore no longer possible to use Derrida's definition as it stands: indeed, "the fundamental right to say everything" could nowadays be the slogan of those who are willing to say anything — racists and anti-Semites, sexists, homophobes, and transphobes. This is our current reality, from which we must attempt to reformulate this definition.

Once again, Scott can help us think historically, that is, in terms of our own context. Let us revisit the speech she gave in 2017 to the Academy of Arts and Sciences when she received the Talcott Parsons Award "for her distinguished contributions to the social sciences". Her analysis takes on full meaning in the aftermath of Donald Trump's (first) election: "Freedom is the principle invoked so forcefully on the right these days — freedom in the sense of the absence of any restraint. From this perspective, the bad boys can say anything they want, however vile and hateful". Indeed, "the worse the better, for it confirms their masculine prowess, their ability to subvert the dogmas of political correctness" (Scott, 2019, p. 116). It is therefore essential not to confuse everything. For the Supreme Court, in the 1974 decision *Gertz v. Robert Welch, Inc.*, "under the First Amendment, there is no such thing as a false idea. However pernicious an opinion may seem, we depend for its correction not on the conscience of judges and juries, but on the competition of other ideas". It is therefore essential not to confuse the two: "Free speech makes no distinction about quality; academic freedom does" (Scott, 2019, p. 118).

The university is not a place where all opinions are equal. Critical thinking should not be confused with media debate. This is why "exhorting students to respect the ideas of individuals with whom they disagree is not the solution to their purported misbehavior: we can respect the rights of free speech without having to respect the ideas being uttered. Critical thinking is precisely not a program of neutrality, not tolerance of all opinions, not an endorsement of the idea that anything goes. It is about how one brings knowledge to bear on criticism; it is a procedure, a method that shapes and disciplines thought" (Scott, 2019, p. 121). The question that may arise today in lecture halls is: "Does creationism trump science in the biology curriculum if half the students believe in it?" (Scott, 2019, p. 118). Here we see how religious dogmatism can draw on market relativism, with faith becoming, at least initially, just another opinion. This is also how we can understand the French expression "gender theory": one theory is as good as another; common sense is more true than scholarly ramblings...

To reflect on this context, Joan W. Scott draws on Wendy Brown's analyses of neoliberalism: "The saturation of higher education by market rationality has converted higher education from a social and public good to a personal investment in individual futures, futures construed mainly in terms of earning capacity". Thus, "as it dispenses with the very idea of the public, neoliberal rationality recognizes and interpellates the subject only as human capital, making incoherent the idea of an engaged and educated citizen". This is what Brown calls "undoing the demos", that is, emptying democracy of content and meaning by extending an economic logic to all social activities (Brown, 2015, pp. 181 & 183). This is particularly true in the United States, where massive increases in tuition fees are now encouraging some students to behave like consumers, and therefore to believe that their opinions are academically as valuable as their professors' knowledge. For Scott, it is important to draw conclusions about academic freedom: without ignoring the disciplinary effects of professional standards, there can be no question of relinquishing the authority of the profession.

It is indeed a question of context. First, the current offensive comes mainly from established

powers, the media, social networks, and so on; in short, outside academia. Second, even when the attacks come from within the university, they are most often carried out by academics who, whether retired or not, feel marginalized by its evolution. In other words, far from embodying professional standards, these colleagues lament that these standards are changing and slipping away from them. This is why the generational dimension plays such an important role in the intra-university battle. Campaigns against academic freedom could thus have the paradoxical effect of closing ranks in the world of higher education and research. This is not to say that critical knowledge, and especially minority studies, are now in a position of hegemony, as their opponents, who seem to see themselves as an endangered species, would have us believe. Rather, there is no need to be interested in gender studies or intersectionality, postcolonial or critical race studies, to understand that, ultimately, academic freedom in general is being targeted. In other words, we are all concerned as academics — regardless of what we think, for example, about inclusive writing. Many have understood this. When Frédérique Vidal, then minister of Higher Education, ominously announced an investigation into (so-called) "islamo-leftism", a collective letter asking for her resignation gathered more than 20,000 academic signatures after it was published in *Le Monde* on February 20, 2021.

6 …But Not "Anything Goes"

It is time to finally complete the definition proposed by Jacques Derrida: "The right to say everything", certainly, and to say it "publicly", indeed. *Everything,* but not *anything*, that is, *on condition that it is not nonsense*. This is the difference with freedom of expression, which is the right to say anything — *including nonsense*. Free speech is a matter of opinion; academic freedom has to do with the truth, "however enigmatic it may be". As Derrida put it, "the university *professes* the truth, and that is its profession" (Derrida, 2001, p. 12). As a consequence, academic freedom comes with a requirement that is inseparable from a responsibility: it recognizes constraints, those of the profession. This is not without consequences: there is no escaping professional standards. Academic freedom is not what will emancipate us from disciplinarian constraints, however limited and limiting they may sometimes be. We know this all too well; we live in a university that is "conditional". Far short of the positive ambition of an "unconditional university", we could say that it is only a matter of negative freedom.

This conceptual distinction is borrowed from Isaiah Berlin. In a 1958 lecture, this philosopher famously analyzed (and contrasted) "two concepts of liberty": negative liberty, which frees us from obstacles erected by others; and positive liberty, which allows us to fulfill ourselves, individually or collectively ("self-realization"). This liberal philosopher was more sympathetic to the former than the latter, which he suspected of undermining freedom in the name of freedom. However, academic freedom, it must be acknowledged, is closer to the former ("freedom from") than the latter ("freedom to") (Berlin, 1969). This is undoubtedly the condition for possible alliances between "radicals" and "liberals" in defense of academic freedom.

However, the rejection of "anything goes" also offers, in return, a negative conception of truth. A positive truth would be defined by methods and content set *a priori,* even once and for all. On the other hand, a negative truth does not prejudge either the results or the means to achieve them. Science cannot be reduced to the application of a pre-existing methodology, according to theoretical models that are known in advance and relate to already established empirical realities. On the contrary, research involves questioning each of these points: it is in this sense that critical knowledge, far from being an exception, is (or at least should be) the rule in academia.

Indeed, critique should not be confused with criticism: the point is not to criticize, but rather to break from the illusion of what seems obvious, whereas it is only given. In other words, nothing can be taken for granted, even within the discipline. Professional standards cannot escape critique. Of course, colleagues who are exposed to the critique of other academics may turn the critique back on their critics. But they must still submit to the same standards of rigor. It is not enough for the established academic to excommunicate heterodox novelty from the pulpit, relying on the traditional authority of orthodoxy. He (or she) must also take the trouble to engage in critical work in response. This leaves only one criterion, a negative one: avoid nonsense. It implies submitting to constraints, but without determining *a priori* what can or cannot be said. This is the whole challenge of scholarly work.

The legal scholar Adam Sitze has aptly summarized the paradoxical requirement of this constrained freedom: he even speaks of "academic unfreedom". "Free inquiry in academia is predicated on voluntarily assumed forms of unfreedom that are unique to the academy. The biologist is not free to speak as though evolution were not the decisive premise for the study of life on earth. The climate scientist is not free to pretend that climate change is not human-caused. The historian is not free to pretend that slave labor does not account for the genesis and basis of American culture, society, and politics". This lack of freedom gives the word discipline a much more positive connotation: "Study turns one into a student, which is to say, someone whose desire is structured by the voluntary assumption of limits on the sayable and the thinkable, limits that entail distinctions of true and false. Mastery of these modes of unfreedom, which is at one and the same time a certain mastery of self, is what confers upon the academic not only the right but also the responsibility to determine what can and cannot be said in an academic setting" (Sitze, 2017a, p. 598).

"Study turns one into a student": rather than separating academics from their student audience, this formulation has the advantage of emphasizing what they have in common. Indeed, being a professor means making studying one's profession. Conversely, in order to study, students accept the fundamental rule of academia, or rather learn it through practice in seminars: in order to avoid saying or writing anything and everything, it is important to strive to distinguish between *doxa* and *episteme.* Of course, this is not a question of pitting the scholar against the politician. It is therefore not a question of "neutrality," i.e., neutralizing opinion in order to legitimize knowledge (Fassin & Ibos, 2025). Nevertheless, if knowledge can support opinions, but also challenge them, and in any case reformulate them, this requires work. In short, it is not, and cannot be, just nonsense.

The lecture hall is therefore the place where, in university education, the complex relationship between freedom of expression and academic freedom is negotiated. But what about outside the classroom? Students are free to express their opinions, and therefore also to protest against other opinions, provided, of course, that they avoid violence: this is part of their freedom of expression. However, there may be cases where academic freedom itself is at stake: when students protest against lectures, it may simply be because of their opinions: that is their right. However, when racist, sexist, homophobic, or transphobic figures are invited to speak, we may ask ourselves: by mobilizing in this way, are they not reminding the university, at a time when it is forgetting the value that underpins academic freedom even as it claims to uphold it, that it has no obligation to tolerate this nonsense?

That is what Adam Sitze suggests. In 2017, Charles Murray was invited to give a lecture at Middlebury College, but was prevented from doing so by a student protest. This political scientist, funded by a conservative think tank, The American Enterprise Institute, is the co-author of *The Bell Curve,* an ideological tome with a scholarly appearance that made a big splash in

1994 by reviving social Darwinism, correlating IQ, genes, and race to better justify the decline of the welfare state. The incident caused a scandal: even liberals were outraged, with cries of censorship. The Republican right was all the more delighted: had freedom of expression not succeeded in imposing itself on the university, in this case as in so many others, by replacing the professional requirement of academic freedom?

Nevertheless, Sitze argues, it should be possible to interpret this demonstration differently: "They were claiming that a diverse community of students is possible only on the prior condition that intolerance not be tolerated within that community, in just the same way that, for Milton, Locke, and Mill, religious pluralism within liberal societies was only possible on the prior condition that 'the most intolerant of churches' not be tolerated within those societies. Put simply: the students were engaged in a protest that was, in its basic genesis and structure, *Protestant*" (Sitze, 2017b, p. 770). In other words, what is the problem: the student protest, or academic tolerance for intolerance? Is not the university violating its mission when, confusing freedom of expression with academic freedom, it puts ideologues and scholars on the same footing? It is then the students who sometimes call us to order: the university should not be the home of nonsense.

7 Anti-democratic "Bullshit"

It is therefore important today to think about what is at stake politically. To better understand this, we can rephrase "nonsense": "anything" (in French: *n'importe quoi*), has a more forceful equivalent analyzed in an essay, first published in 1986, by philosopher Harry G. Frankfurt: *On Bullshit* (Frankfurt, 2005). Usually, this colloquial, even crude term has no place in the philosophical lexicon. However, we have known since Plato's *Parmenides* that there could well be an Idea of filth. The reason why this term belongs to philosophy is that it touches on the relationship to truth. Of course, we know that lies exist, and we are not unaware that they have always been part of political discourse. But bullshit is something else. "Someone who lies and someone who tells the truth are playing the same game, but not on the same side, one might say". The liar knows he is lying. While he or she is on the opposite side of the truth, he recognizes its importance: "A person who lies is thereby responding to the truth, and he is to that extent respectful of it".

Not so with the "bullshitter" who "is neither on the side of the true nor on the side of the false. His eye is not on the facts at all". He does not care whether what he says describes reality; his words are only meant to serve his purpose. By contrast, a liar has something in common with someone who tells the truth: "One who is concerned to report or to conceal the facts assumes that there are indeed facts that are in some way both determinate and knowable. His interest in telling the truth or in lying presupposes that there is a difference between getting things wrong and getting them right, and that it is at least occasionally possible to tell the difference". On the contrary, "someone who ceases to believe in the possibility of identifying certain statements as true and others as false" is doomed to bullshit. As to the truth, "he pays no attention to it at all. By virtue of this, bullshit is a greater enemy of the truth than lies are" (Frankfurt, 2005, pp. 55–63).

Harry Frankfurt does mention the importance of bullshit in politics. But he is more interested in the individual practice of bullshit than in a shared political rhetoric. We need to update his concept to understand not only political bullshit, but today's politics of bullshit. In threats to academic freedom, we can distinguish three different logics (which may overlap). The first is dogmatic: it involves asserting transcendent truths — moral or aesthetic, religious or other-

wise — against critical knowledge. This was the case with the crusade against "gender ideology" launched by the Vatican: it was about Truth with a capital T. The second logic is liberal: on the "marketplace of ideas", some ideas prevail, while others fall out of favor. Truth is therefore not given ex ante; it appears ex post. It is the survival of the intellectually fittest in the free play of competition. The third, contemporary logic, is best defined by bullshit. Who cares about the truth? It is not about the Value (capitalized) of truth, nor the natural selection of the market; it assumes that "anything goes": if it's all the same, then nothing is worth anything.

These three logics thus correspond to three political formations: conservative or reactionary (absolute Truth), liberal (the free market of ideas), and finally, neofascist (bullshit). There is an important difference between the era of attacks on political correctness in the early 1990s and the offensive against cancel culture, three decades later, that prepared the ground for the neofascist surge. Following the success of Allan Bloom's 1987 book, *The Closing of the American Mind,* the right defended legitimate culture against the relativism attributed to minorities, as well as to postmodernism. This was a reactionary attack against universities by neoconservatives. However, this canonical version of truth mostly belongs to the past (notwithstanding a January 2022 Sorbonne symposium against deconstruction, which was designated as the origin of wokeness). Today, by taking the side of "anything goes", the far right has endorsed relativism. This defines a form of postmodern neofascism. Of course, "anything goes" is not just about anything, nor everything; it is certain "things" — whether sexist, homophobic, and transphobic, racist, xenophobic, islamophobic, and antisemitic.

There is a major difference with Frankfurt's emphasis on bullshit as fundamentally indifferent to truth: neofascist bullshit is radically hostile to truth (Fassin, 2025). It is an attack that aims to undermine, nay, destroy truth as a principle. It has become even more obvious with Donald Trump's second term as president. The attack is not just against "woke" culture in its sexual and racial dimensions. The list of "suspect" words also targets climate science and medicine; even the word "bias" is on probation. In a word, the attack is not just on critical thinking; it is against science as a regime of truth. Why? Neofascist regimes try to impose their own, political regime, that is, truth by decree — and this does not only affect academia; other regimes of truth are under siege, such as the judiciary or the media, and even statistical institutions. The politics of bullshit goes against independent sources of truth, as neofascism claims a monopoly.

Contemporary neofascism is defined not only by an ideology, but also by a style, as evidenced by the buffoon-like figures of Donald Trump, Jair Bolsonaro, and Javier Milei: the grotesque, the farcical, the ridiculous, but also the vulgarity claimed in discourse, ideas, and forms. This is why the word bullshit resonates particularly well with our current neo-fascist reality. Indeed, Donald Trump chose to respond to the "No King" movement with an AI video of himself as a military pilot dumping on the demonstrators, not bombs, but feces — his crown suggesting that he may be "the King of bullshit". This is not so different from *South Park*, a cartoon series that derides the president in a similar scatological and even pornographic vein. Bullshit is supposed to be entertaining: the more outrageous, the more fun. The 2024 campaign fictions about Haitian migrants eating cats and dogs in Ohio are a case in point. The idea was not to sound believable; on the contrary, the more absurd, the better. As JD Vance put it on CNN: "If I have to create stories so that the American media actually pays attention to the suffering of the American people, then that's what I'm going to do". Of course, the enjoyment here goes with the *jouissance* of cruelty.

Hatred of the truth comes through contempt for the dignity of political language. It is an anti-democratic program that replaces the *demos*, the democratic people, with an imaginary

populace as desired by tyrants. This program is all the more dangerous because, in the end, bullshit tends to win the day. Fact-checking worked against "fake news", that is, lies; but trying to chase after so-called "alternative facts" (to quote Kellyanne Conway following Trump's first inauguration), is doomed to failure. It is so much quicker to produce bullshit than to correct such statements — not to mention producing even one that is rigorous. In other words, there is a Gresham's law of political discourse that threatens democracy in its ordinary functioning: with bullshit thrown in the face of truth, bad money drives out good money.

In order to defend academic freedom, it is now important to reclaim a critical truth: *not* anything goes, and more precisely, *no* bullshit, which is a way of saying no *to* bullshit. Faced with attacks on universities in France and many other countries, we must arm ourselves with academic freedom. But why has political anti-intellectualism regained such importance today? Why is the university, more than ever, a prime target for anti-democratic policies? It is precisely because of the value that underpins academic freedom: the rejection of bullshit. Religious dogmatism undoubtedly claims to represent absolute Truth; however, if autocrats can enjoy widespread support from the religious right, it is because the latter is ultimately quite comfortable with the politics of bullshit. The university, therefore, appears to be the ultimate refuge for a conception of truth that makes no concessions to such nonsense.

Authoritarian regimes in this neo-fascist moment of neoliberalism are not mistaken about their adversary: their anti-intellectualism targets a form of critical resistance that continues to defend, if not Truth as an absolute, at least the search for truth, that is, a form of intellectual rigor. This is why the support for academic freedom, even though it defines a profession, is not corporatist: what is at stake is not the preservation of a privilege, but the defense of a democratic value. This protects academics first and foremost, of course, but, beyond that, it also concerns democracy, and therefore everyone. We must defend universities as islands of critical knowledge in a sea of "bullshit". Such is our collective responsibility.

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