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EDITED BY

Margaret Grogan,
Chapman University, United States

REVIEWED BY

Martin Scanlan,
Boston College, United States

*CORRESPONDENCE

Carolyn M. Shields
✉ cshields@wayne.edu

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Academic freedom: can education resist the assault?

Carolyn M. Shields*

Wayne State University, Detroit, MI, United States

Academic freedom has experienced a long and sometimes difficult trajectory to achieve its present position in the 21st Century world. In fact, the question of whether education is a tool of the state or independent from political influence has long been with us. Should the university, or education in general promote orthodoxy or should it encourage free speech? This paper discusses the current state of academic freedom in educational organizations, focusing specifically on attacks against diversity, equity, and inclusion (DEI) in the United States. It discusses briefly, the arguments against DEI, as well as its benefits. It then suggests that transformative leadership may offer guidelines for a leadership response. In general, the response will need to foreground diversity and equity, acknowledge the historical barriers to the full inclusion and participation of everyone, and address mindsets as well as actions. Amidst the current backlash, leaders will require a considerable amount of moral courage to speak loudly and truthfully in order to truly be transformative.

KEYWORDS

academic freedom, equity, inclusion, DEI, transformative leadership

Academic freedom: can education resist the assault?

Academic freedom which is the general topic of this special issue, has experienced a long and sometimes difficult trajectory to achieve its present position in the 21st Century world. Menand tells us that the concept originated in Germany as *lehrfreiheit* – freedom to teach (2024). It relates to the well-known action of Martin Luther who posted his 97 theses against the Catholic Church's theology in 1512, thus promoting debate and discussion and ultimately, resulting in what is known as the Protestant Reformation. Moreover, since a papal edict issued by Pope Gregory IX in the thirteenth century affirmed the independence of the university, the medieval university developed a reputation as a place of robust debate (Mondschein, 2025). However, in some places, debate was foreclosed as when King Philip the Fair wanted university masters in Paris to justify “the persecution of the Templar order, or the burning at the stake” of specific people (Jones, 2023). Hence the question of whether education is a tool of the state or independent from political influence has long been with us. Should the university, or education in general promote orthodoxy or should it encourage free speech?

In the United States, in 1915, professors who formed the American Association of University Professors (AAUP) set forth the principle that “higher education and professional autonomy require freedom for faculty in research, publication, and teaching” (Kraft, 2023). Later, in a series of court cases and in a decision from 1943, the 1st amendment of the Constitution was interpreted as protecting free speech and providing academic freedom:

The Nation's future depends upon leaders trained through wide exposure to that robust exchange of ideas which discovers truth 'out of a multitude of tongues, [rather] than through any kind of authoritative selection' (Kraft, 2023).

Despite these acknowledgments, in the 21st century, academic freedom in the United States is again being threatened. The attacks are numerous, as governments and other entities are attempting to control what is taught in individual courses, what books and articles are used, what ideas may be debated, and what research topics may be funded. Accompanying the efforts to control higher education institutions are threats and provisions to eliminate funding, to cancel student visas, and to determine who can teach at or attend institutions of higher education. The current attacks are multiple, reaching into industry, government, and non-profit organizations, as well as educative and legal jurisdictions. In fact, current attacks threaten the very core of society as well as of democratic institutions. In response, Menand (2024) sees the defense of academic freedom as "inextricably linked to the larger struggle against the racial, gender, and other systems of oppression that continue to deform American life."

Although as indicated above, there are many components of academic freedom, this paper will focus on DEI, a term that represents the values of diversity, equity, and inclusion, as an exemplar for the current assault on academic freedom. In education, the United Nations Sustainable Development Goal 4, (SDG4), adopted in 2015 by 184 member states, calls for nations to "ensure inclusive and equitable quality education and promote lifelong learning opportunities for all" (UNESCO, 2023). As signatories, it is incumbent upon educators at all levels to support this goal.

The United Nations statement does not mention diversity, perhaps because diversity is a given in today's world, with students from many ethnic backgrounds, lifestyles, religions, colors, abilities and so forth attending public schools and universities in most nations. However, as used as part of DEI, the term diversity is used to indicate the creation of a culture that reflects a multiplicity of people and perspectives. Moreover, I would argue that it is not really diversity that comprises a challenge to equitable and inclusive education, but overcoming the disparities, entrenched practices, and negative mindsets associated with it, that constitutes the real problem.

As the Forbes media company asserts, "Equity is the foundation for meaningful diversity and inclusion as it acknowledges systemic barriers that exist, and it ensures fair access to opportunities, without which diversity efforts remain superficial and inclusion becomes impossible." Equity may be considered as a measure of both individual and social justice in which the goal is not "sameness" but in which people are provided with the support and resources necessary to have both similar opportunities and similar outcomes.

Inclusion requires the creation of environments in which all are treated with "absolute regard" (Starratt, 1991), and thus have a clear sense of belonging, of being respected and valued. In an inclusive society or organization, all are encouraged to participate, all contributions are carefully considered, and all voices are heard. Moreover, "inclusive education can provide not only

equal opportunities but also more equitable learner outcomes" (Kefallinou et al., 2020, p. 138).

Following an examination of the current state of academic freedom, and specially of the DEI component, this paper will argue that one role of educational leaders is to create institutions in which people are fully included, respected, and valued, and hence are able to perform to their maximum potential and to contribute fully to civil society. Thus, it will posit the need for transformative leaders in both PK-12 settings and higher education alike who vigorously defend academic freedom.

This largely conceptual paper draws on current data, including websites covering legislative initiatives, research papers related to equity in education (Darling-Hammond, 2013; Dunlavy et al., 2020; Matear, 2007; Shields, 2025), statistics related to progress toward the SDG4 initiatives (Our World, 2023), reports from news media, and legislation. Definitions and initiatives vary considerably; nevertheless, it is important to know what is being proposed and what is being repudiated.

This examination is informed by currently approved methods of document and policy analysis (Cardno, 2018) because "leaders need to be aware of the demands created by external policy as they mediate between the external and the internal policy contexts (p. 625). This includes the need to attend to the policy context, i.e., the forces that have given rise to a policy, the text itself, and the consequences which may be intended or unintended in part because of challenges to its implementation by human actors and agents. Thus, what the policy describes may not be what is perceived or practiced on the ground in a particular context.

This essay is also informed by the theoretical framework of transformative leadership theory because, as Weiner (2003) asserted, transformative leadership theory involves "an exercise of power and authority that begins with questions of justice, democracy, and the dialectic between individual accountability and social responsibility (p. 89). Issues of equity and inclusion are at the forefront of this theory as is attending to the UN SDG4 goal (Shields, 2025). Both the UN goal and transformative leadership theory acknowledge the need to create equitable and quality learning environments in which everyone is respected and welcomed and their voices heard.

The tradition of DEI under attack

It could be argued that the concept of equity, one component of DEI in the United States, dates from the 1776 Declaration of Independence which asserted that "all men are created equal." Yet, there is no doubt that the phrase "all men" led to many exclusions and much conflict and discrimination. Nevertheless, throughout American history, progress has been made with, for example, the abolition of slavery, the granting of the vote and property ownership to women and indigenous peoples, and many human rights initiatives. In fact, the intent of a large body of legislation since the founding of the country has been to ensure fair practices in labor, voting, housing, education, and even more recently, for those with disabilities or who are LGBT+. A number of specific equity initiatives may be traced to the Civil Rights Acts of 1871 and 1964 which were intended to protect the rights of all citizens and to prohibit discrimination. In education,

the Morrill Land Grant Acts led to the expansion of university education and the founding of many historically Black colleges, the Department of Education, and many other innovations. Following the death of George Floyd in May 2020, there was a renewed emphasis on establishing diversity training, on equitable hiring, and establishing research centers, with many people using the acronym DEI. In 2021, the Biden administration, by Executive Order 14035, required the development of government-wide and agency-specific strategies to improve DEI and accessibility in recruitment, promotion, leadership development, workplace accessibility and anti-harassment policies ([American Pride Rises, 2025](#)).

However, combining the three values of diversity, equity, and inclusion into one entity and calling such efforts “DEI initiatives,” has often seemed simply performative, with little or no tangible results. Yet, what is currently being lost is the fact that many programs have been introduced in recognition that many marginalized communities have not been treated fairly and have not always had equal opportunities for participation and/or advancement.

President Trump has called racial sensitivity trainings “anti-American propaganda” and his (former) associate Elon Musk has said that DEI is “just another word for racism.” Others who are lashing back have described the current use in America of DEI as simply a means of “reverse racism” ([Dunn, 2024](#)) and the backlash has resulted in many companies such as Walmart, Boeing, Lowes, and the Ford Motor Company ([Conn, 2024](#)), eliminating diversity training and hiring, and terminating those who have been hired to lead such initiatives.

Recently, museums and websites have also been targeted, with inappropriate search criteria resulting in the temporary elimination of such historical events as the Navajo Code-Talkers, the Tuskegee Airmen, Jackie Robinson, and even the removal of Enola Gay WWII aircraft photos from the Department of Defense website. (A public outcry ultimately resulted in their reinstatement). Even more ridiculous was the attribution, without evidence, by President Trump and his allies of the handling of deadly wildfires in California or the crash of an American Airlines plane in March, 2025 to DEI.

Concomitantly, PEN America, a free speech advocacy group, identified over 10,000 books banned during the 2023–2024 school year, triple the number from the previous year. These included classics such as *The Grapes of Wrath*, *To Kill a Mockingbird*, and Khaled Hosseini’s *The Kite Runner*, as well as Tony Morrison’s *The Bluebird*, or Angie Thomas’ *The Hate You Give* ([Alfonseca, 2024](#)). In other words, books related to minority ethnicities and gender issues have been banned in many schools and libraries. And, for the first time, book banning has extended to higher education including the naval academy in Annapolis, Maryland that has banned 381 books but retained books like *Mein Kampf* and *The Bell Curve*.¹

In education, the attacks on academic freedom have intensified. DEI has been linked to research programs, classroom syllabi, and even organizational leadership in an attempt to remove all aspects of ethnicity from social reality. Yet DEI represents much more than

ethnicity and color. It includes religion, ability/disability, gender, and many other aspects of everyday life.

Many states have introduced legislation forbidding spending public money on anything related to DEI, such that some academic colleagues have had their syllabi changed to eliminate all mention of race, ethnicity, or even equity, and many have been ordered to have all course readings authorized prior to their implementation (personal communication). For example, Florida’s Stop WOKE Act prohibits the teaching of ideas and concepts deemed “divisive.” At the time of writing (summer 2025), the Department of Education has threatened schools with the withdrawal of federal funding if they fail to provide certification that they are not in any way “discriminating” on the basis of race or sex. Efforts to expand charter schools, homeschooling, voucher programs, to restrict the teaching of certain topics, and to defund public schools as well as to eliminate the federal Department of Education are rampant.

The visas of many international students have been revoked or canceled. And perhaps even more troubling, students have been accosted, arrested, and held for deportation with the allegation that they have engaged in anti-American activities. To date, the lack of proof and the extent of the allegations made by the government seem to be equating DEI with people from visible minorities regardless of their citizenship status or historical contributions to America. This seems consistent with [Dunn’s \(2024\)](#) belief that anti-Blackness is at the root of the backlash to DEI.

American Pride tracks legislative efforts to either protect or restrict DEI initiatives and has found to date, since the beginning of this calendar year (2025), 381 related bills, with more than half being opposed to DEI. One could spend several days outlining the provisions of these bills for education, but some examples follow. On March 18, 2025, the state of Michigan enacted a bill “affirming that the Michigan Senate recognizes diversity, equity, and inclusion as essential foundational principles for achieving the American Dream and encouraging policymakers, educational institutions, workplaces, and other organizations throughout the state and nation to adopt and uphold these principles in their work.” A week later, a neighboring state, Ohio, passed an education bill prohibiting diversity, equity, and inclusion training, offices, and positions in public schools.” This bill extended a constitutional amendment approved in February that enshrined “the right to transparent access to lesson plans and access to public schools that do not teach or train students, teachers, and staff on diversity, equity, and inclusion.” In Texas, a bill was introduced that prohibited public institutions of higher education from offering certificates, degrees, or courses in diversity, equity, and inclusion.

Recently, the Trump administration sent letters to 60 universities threatening to freeze research funding as retribution for alleged non-compliance with the Civil Rights Act of 1964 ([Powell, 2025](#)). In other words, alleged racial discrimination, such as anti-semitism was somehow linked to research funds and despite the lack of association between the two, research funding was targeted unless certain requirements were met. Among these requirements were “audits” of academic programs and even of viewpoints of faculty, staff, and students; as well as changes to admission and hiring policies. Although some universities capitulated to the demands in order to retain their research funding and tax-free status, another 400 university presidents, taking their inspiration from Harvard, signed a letter in which they “speak with one

¹ The Bell Curve ([Hernstein and Murray, 1994](#)) has been widely discredited as it argued, using dubious data, that there is a genetic link between race and intelligence with white people scoring highest on intelligence tests.

voice against the unprecedented government interference now endangering American higher education” (McKibben, 2025).

The argument against DEI

Menzies (2025) argued that much of the resistance to DEI comes from “misunderstandings, misinformation, or concerns about change.” She further indicated that common arguments included a fear that DEI lowers standards, fosters division, detracts from goals and priorities, and is a trend that will not last. Some people, she asserted, may not recognize the systemic barriers that exist. Although lack of knowledge may be an issue, Oakes and Rogers (2006), found that “merely documenting inequality, will not, in and of itself, lead to more adequate and equitable schooling” (p. 13), because inequity itself is sustained by deep cultural beliefs and hence awareness does not lead directly to change.

The arguments against DEI call for America to be “colorblind and merit based,” positioning DEI initiatives as opposed to merit. Opponents believe that DEI hiring or success, for example, is based on identity rather than merit. Moreover, they fail to acknowledge that our “habitus” as Bourdieu would call it, is shaped by longstanding and entrenched cultural beliefs that perpetuate our ideas of what is acceptable and “normal.” Hence, perhaps without intending to do so, attempts to perpetuate the *status quo* often also reinforce long-standing systemic discrimination, in part by ignoring the very real impact of color on daily life.

Thus, the result of the claim that a color-blind, merit-based system is equitable fails to recognize the very real differences in the ways in which people of color experience such aspects of everyday life as shopping, housing, hiring, or career advancement. In fact, a brief examination of history and an overview of legislation intended to rectify disparity suggests that DEI has been intended to counteract a system that discriminates by concentrating power, influence, and decision-making in the hands of one demographic group, often wealthy white males.

Despite the argument that DEI initiatives do not work, a report from McKinsey and Company (2023) found that “companies in the bottom quartile for diversity are 66% less likely to financially outperform their competitors” (Milet, 2025). In education, Ayscue et al. (2017) found that “racial diversity has numerous benefits, including improved academic achievement, enhanced intergroup relations, and positive long-term life outcomes” (p. 1).

Often, in education, it is the misunderstood term critical race theory (CRT) that inflames opponents. Originally a critique of the fact that, historically, the law has tended to reinforce the racial hierarchies that exist within society, CRT asserted the need to try to improve society by understanding and dismantling disparities. Given the huge, and largely Black protest following the death of George Floyd, some expressed fear that non-white people posed a threat to American institutions and “way of life.” This is reflected in Trump’s language calling Mexicans criminals and rapists or considering many who emigrate to America as coming from prisons and mental hospitals. Critics of DEI often argue that minorities simply are not smart enough or are not working hard enough. Critics of DEI often claim that including the history of those who have been marginalized or who have suffered discrimination (slaves, LGBTQ + individuals, Muslims, for example) is divisive and makes people uncomfortable.

In contrast, proponents of CRT and DEI suggest that extant disparities are the result of the ways in which racism and power have operated historically to oppress and marginalize minority groups. Moreover, there is considerable research that demonstrates that when people are included, valued, and respected, they perform better (Menocal, 2020). Eliminating discussion of those whose history is often neglected or distorted (e.g., by teaching about the benefits of slavery), serves simply to exclude much of the population, discouraging them from reaching their potential, and of contributing to our civil society.

Moreover globally, there are many people whose ideology supports obeying authority figures, punishing rule breakers, and supporting the *status quo*. This authoritarian ideology tends to oppose LGBTQ + attitudes and policies, the encouragement of immigration and the presence of refugees, the social advancement of members of minority groups, and often fair and free elections which give everyone an equal voice. As economic inequities increase, often fueled by capitalism and nationalism, as well as by conflict, displacement, and migration, many choose to respond by seeking order, stability, and control, again leading to the support of authoritarian leaders and regimes and the oppression of marginalized groups and of academic freedom.

A leadership response to the backlash

To respond to these incessant attacks on democracy and academic freedom, including the condemnation of DEI initiatives, leaders will need to explicitly support the diverse goals of society as well as of research, teaching, and learning without restriction. It is here that the principles and tenets of transformative leadership theory, with its focus on an activist approach to justice and democracy, and its concern both for individual students as well as communities and societies as a whole may be informative. Leadership theories that do not foreground DEI values, but rather simply support organizational goals are inadequate to meet the onslaught against academic freedom.

Transformative leadership, as distinct from transformational leadership, foregrounds diversity and equity, and acknowledges the historic barriers to the full participation, inclusion, and success of everyone. In general, it evolved from Burns’ (1978) concept of transforming leadership, although it also draws on the work of others: scholars like Freire (1970), Foster (1986), Quantz et al. (1991), Starratt (1991), and more recent scholars such as Shields (2016, 2020, 2025), van Oord (2013), or Cole (2024). It is a critical and holistic approach to leadership that recognizes the power of all to lead and make systemic changes. Drawing on historic realities, cultural traditions, relationships, and moral courage, transformative leadership acknowledges Burns’ concept of leadership as a revolution that requires “complete and pervasive transformation” of the conditions that leave “billions of the world’s people in the direst want” (2003, p. 2).

Acknowledging the conditions in which people live, including those that have marginalized, excluded, and oppressed specific individuals and groups is central to transformative leadership. Moreover, to do so often requires a reexamination and deconstruction of the mental models with which one has

grown up. Shields, in an argument for deconstructing knowledge frameworks that perpetuate inequity, cites the findings of Johnson that “what separates successful leaders from unsuccessful ones is their mental models or meaning structures, not their knowledge, information, training, or experience *per se*” (2008, p. 85). Anello et al. (2014) state that “transformative learning challenges our ways of thinking and helps us to critically examine the fundamental assumptions underlying our worldview or mental models, resulting in life-changing insights” (p. 3). Thus, fundamental to the work of transformative leaders is a clear understanding of their own positioning and assumptions before they embark upon addressing the inequities they find wherever they live and work. Only as leaders learn to challenge their own mental models are they capable of helping others to do the same, and thus, of reconstructing dominant knowledge frameworks in more equitable ways.

Addressing many of the dominant negative mental models and the current backlash to DEI requires a careful examination of the trajectories and current approaches to diversity, equity, and inclusion. Academic freedom is not primarily an ability to institute new programs, hire diverse faculty, or change mission statements (although they may be necessary). It requires the kind of courageous leadership that understands and challenges inequities wherever they are found. It requires acceptance of the SDG4 of the United Nations that advocates inclusive, equitable, and quality education for all. It requires acknowledgment that diversity is simply a reality in any organization or community—diversity of ethnicity, gender, perspective, religion, etc. Thus, inclusion of multiple people and perspectives is at the root of academic freedom. It is not discriminatory, although some of the disparities that arise certainly are, as those who experience the daily realities of a lack of DEI awareness are well aware.

To address the systemic and institutional injustices that have arisen, largely because of our mindsets regarding those who are in some way different from ourselves, and who are particularly different from the dominant majority power brokers, we must move beyond tokenism to create environments where everyone is valued, is free to actively participate, and to speak their truth. There is no one-size-fits all approach because contexts and cultures differ. Sometimes, being transformative and standing for equity and inclusion involves action; sometimes it requires holding fast.

Harvard University president, Alan Garber, for example, was courageously willing to risk the threat to billions of dollars in research funding by refusing to comply with demands from the current federal administration. He wrote: “no government – regardless of which party is in power – should dictate what private universities can teach, whom they can admit and hire, and which areas of study and inquiry they can pursue” (Powell, 2025). Resisting inappropriate dictates of those in power and control requires moral courage and an ethical compass.

Acknowledging that the playing field is not, and never has been, level and taking steps to rectify inequities is one aspect of transformative leadership. Including principles that support equity and inclusion for a diverse organization is another. Unequivocally supporting democratic values is a key component. Thus, while withdrawal of research funding and support may reduce American innovation and discovery; taking a stand for academic freedom by protecting independent thought and action may ultimately be a higher good. The same is true for public schools at all levels. In order to safeguard academic freedom, we must, as Grogan (in press)

argues, find the will to act “amidst vigorous social and political pushback.”

The goal is freedom for all, not just a power elite. That is why President Alan Garber’s message resonates with all who support academic freedom:

Freedom of thought and inquiry, along with the government’s longstanding commitment to respect and protect it, has enabled universities to contribute in vital ways to a free society and to healthier, more prosperous lives for people everywhere . . . All of us share a stake in safeguarding that freedom.

If we value democratic society and academic freedom, we must speak loudly and truthfully, strengthen alliances, and act courageously to resist and transform the dangerous currents that threaten to engulf us at this time in history.

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The original contributions presented in this study are included in this article/supplementary material, further inquiries can be directed to the corresponding author.

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