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# Higher ed has faults — but don't ignore its utility

[thehill.com/opinion/education/3647082-higher-ed-has-faults-but-dont-ignore-its-utility](https://thehill.com/opinion/education/3647082-higher-ed-has-faults-but-dont-ignore-its-utility)

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Getty Images

In the wake of President Biden's student-debt relief plan, critics are targeting the value of higher education — at both the undergraduate and graduate levels.

As Bloomberg's Romesh Ratnesar writes, the college-affordability crisis has left many "with debts they'll never be able to repay." For CNBC, philanthropist Laura Arnold argues a "dysfunctional system" enables "unmanageable debt from schools and programs that fail to deliver on educational promises."

Although such critiques may have some merit, we must be careful not to take them as grounds to dismiss the entire enterprise of higher learning. As the country's foundational (small-l) liberal democratic ideals are under threat, there is real value that higher education can provide: Done well, higher education — particularly liberal arts and legal education — makes the ground fertile for a durable democracy by inculcating the habits of mind necessary for well-functioning civil society.

The liberal democratic republic that was formed to "secure the blessings of liberty" is being tested in our time as vast swaths of the public — across the political spectrum — agitate for illiberal ideas. We see this pattern manifest in innumerable ways: through efforts to ban books in schools; to prevent speakers some may dislike from speaking altogether; to prohibit

education about historical truths and their connection to our present. We see attempts to frame history exclusively through a modern lens; to use educational institutions to convey an ideology rather than to transmit knowledge and the tools of free inquiry; to empower partisans to undermine the machinery of elections; to favor equality of outcomes over equality of opportunity; to use violence to obstruct government and the lawful transition of power.

These and other developments illustrate a popular embrace of a new illiberalism: restricting rights, freedom of thought, and the rule of law, and replacing them with a tribalism concerned more with group-based cultural dominance and distributional hegemony.

## ADVERTISING

Although some might assign some blame to colleges and universities — which in many instances have fostered or even modeled this new illiberalism — those same institutions can play a significant role in bringing our country back from the brink of this abyss. This is particularly the case for law schools and for other institutions that embrace a liberal arts approach to education.

A true *liberal arts* education — one that does not suppress free thought through a doctrinaire inculcation of an ideological orthodoxy but, rather, gives the broad exposure and analytical tools needed to understand and imagine the world as it was, is, and can be, and develops intellectual courage and humility — equips a citizenry that can steward rather than stymie the liberal ideals essential for a thriving democratic republic.

The best *legal* education sharpens the mind by training it to consider arguments from multiple angles, to marshal facts to make a case, and to clearly and effectively articulate views in oral and written form. Such an education can occur only in an environment that fosters the open exchange of a wide range of ideas. As John Stuart Mill wrote in *On Liberty*, this free exchange is vital to a liberal society because when such exchanges are suppressed, that robs the human race: “If the opinion is right, [dissenters] are deprived of the opportunity of exchanging error for truth: if wrong, they lose, what is almost as great a benefit, the clearer perception and livelier impression of truth, produced by its collision with error,” Mill wrote.

This exposure to complex and competing ideas found in liberal arts and legal education expands the mind's capacity to analyze information and to think critically, core abilities for citizens of a liberal democracy. One key contributor to the new illiberalism is disinformation — the deliberate transmission of false information designed to mislead. Siloed into information echo chambers that are magnified over social media, citizens bereft of an expansive knowledge of the world and of critical and analytical thinking skills become

susceptible to a herd mentality in which feelings-based belief — more so than thought — governs the mind. The embrace of illiberal ideas that seems rampant today is the inevitable result.

College and university leaders must ensure that their institutions are transmitting the skills and values that will inoculate students against falling into this trap. To keep our democracy strong, we need to continue to develop values such as curiosity and respect, an understanding of our common humanity, and an openness to heterodoxy. We also need to develop skills such as the ability to engage in evidence-based reasoning, to identify and avoid logical fallacies, and — as psychologist Karl Weick urged — to “argue as if you are right and listen as if you are wrong.” That is what higher education at its best should be delivering.

Benjamin Franklin is quoted as having told a bystander after the Constitutional Convention that he and his compatriots had developed “A republic . . . if you can keep it.” We all should ensure that our institutions of higher education live up to their role of buttressing liberal democracy by equipping rather than hobbling the mind. Supporting these institutions to prepare citizens not only to lead but to contribute as intelligent participants in our civil society benefits all of us because it ensures that the republic that we have inherited will not be as tenuous as Franklin feared.

*A. Benjamin Spencer is dean of the William & Mary Law School.*

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