

**“Liberal Judaism and Liberal Education: 1875 and today”**  
**Commencement Address**  
**Hebrew Union College**  
**May 31, 2024**  
**Frederick M. Lawrence\***

I am deeply honored to receive an honorary degree from Hebrew Union College, especially here at the Cincinnati campus. It was on this campus, over 75 years ago, that two of my most influential teachers -- Rabbi Dr. Eugene Borowitz and Rabbi Arnold Jacob Wolf -- met and formed a life-long friendship. They, like you, were nurtured and challenged by the rigorous scholarly atmosphere here, which traces its roots back to the founding of the College in 1875 as the first permanent Jewish institution of higher learning in North America.

You, whom we salute today as the recipients of Master’s and Doctoral degrees, have been the beneficiaries of this ambitious and rare institution in American higher education. Thank you for allowing me to be part of your celebration, and in a way, part of your class. Congratulations to all of you and your families and friends on the outstanding achievements that have brought you to this day.

As you contemplate the next steps on your personal journeys, we are all contemplating what feels like uncharted territory. The past academic year has deeply challenged all stakeholders of our college and university communities and our society at large. Images of campus protest and unrest will long stay in our minds. It is precisely at times like these that we must hold fast to first principles that underlie the mission of American higher education and that form the bedrock of a flourishing democratic society and of a vibrant culture. I am speaking of the principles of academic freedom and of free expression. Let me offer some thoughts about academic freedom first as it illuminates today’s event here, and about free expression, as it relates to the events across the country this spring.

Academic freedom is often mistaken as a kind of free expression right that particularly protects academics, but in fact, academic freedom and free expression are quite different. Academic freedom is about expertise and is measured by competence. Freedom of expression is grounded in that most fundamental of human rights, the right to use language to express oneself. As Jamaican novelist, critic and philosopher Sylvia Wynter puts it, we are a “storytelling species.” My right to express myself flows from my very humanity, and is not necessarily related to expertise. I have a right to say profound things, and silly things, true things and even false things. But whereas I may have an expressive right to say silly things, I should not expect to have them published in an academic journal and should not be surprised when they cause me not to be tenured, promoted, or even hired by an institution of higher learning.

Academic freedom has a particular resonance on this campus. The founding of Hebrew Union College in 1875, a critical part of the encounter between Jewish tradition and modernity, occurred at a significant time in the history of American higher education. The last quarter of the 19<sup>th</sup> century saw the introduction of the German research

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university model to America, a model grounded in *Wissenschaft*, a systematic pursuit of knowledge. Significantly, the founders of this institution, deeply infused with the German research model, sought to further what they called *Wissenschaft des Judentums*, the “science of Judaism” if you will, building on the idea of *Wissenschaft* that launched the research university model. One year after the founding of HUC, Johns Hopkins University was founded in 1876 as America’s first research university.

The research university model fundamentally changed American higher education. Previously engaged in preserving and transmitting an inherited cultural tradition, universities would now be dedicated to the creation and discovery of new knowledge. And if the mission of the university is to question, deconstruct, and discover, then protections are essential for free inquiry and intellectual speculation and examination. This is the essence of academic freedom. Universities, on academic grounds, must be free to establish and implement disciplinary and scholarly standards and rules.

A century and a half after the creation of a Jewish institution here based on the research university model, we can observe that properly understood, this model was less of a break with normative Judaism than it may have been for secular leaning, serving as more of a continuation of a millennia-old approach. Put differently, the break in secular learning between inheriting and transmitting a classical tradition on the one hand, and the discovery and transmission of new knowledge on the other, is a poor description of Jewish scholarship. For Jewish scholarship, the inherited tradition is itself the process of creating new knowledge. When Rabbi Dr. Tamara Cohn Eskenazi and Rabbi Dr. Andrea Weiss in their path-breaking *The Torah: A Women’s Commentary* described their contemporary method, they said that their “authors bring new insights and new questions to our sacred tradition, all the while placing their words within the ongoing stream of Jewish interpretation.”

How is it possible that this “ongoing stream,” over dozens of centuries, has been able both to adapt and apply to ever-changing circumstances yet maintain a coherence? Because it has not, strictly speaking, been a process of free expression, it has been a process of academic freedom. It has never been a matter of “anything goes.” As in the research university, interpretation, scholarship, and the drive to create and discover ever-new knowledge is bounded by professional standards and disciplinary rules. Surely the nature of these standards and rules has changed – from the nearly 2000-year old *Baraita* of Rabbi Yishmael setting out the thirteen rules of textual interpretation, to the work of medieval and of early modern scholars, to the ideas being expounded on this very campus to this very day – including by you who will receive your degrees today. What was a transformational transplant for secular education, found already fertile soil at Hebrew Union College.

Perhaps a month or two ago, this address would have ended here. But I cannot conclude without some observations about the climate of our campuses today.

Let me first emphasize that the safety of students on campus is critical and it is essential. Students cannot learn if they fear for their safety. No one is permitted to threaten another, and a university is both entitled to and required to respond to violence or threats of violence. Similarly, students do not have a right to disrupt the operations of a university unduly. For example,

defacing, occupying, or blocking entry to campus buildings is not protected expression, whereas protests outside a building would be.

So, what should our universities do in these challenging times? When looking at any issues on campus, we always need to keep in mind the fundamental goal of our universities, as was well known to the founders of this institution: the creation, discovery, and sharing of knowledge. The intellectual challenges of campus life may come from many sources, including protest. That is why colleges should begin by presuming expression, including protest, to be protected forms of free expression and free inquiry. Again, the limits of this expression are reached when actual threats or undue disruption of the university's operations are involved.

Universities must treat all members of a campus community as part of "we" not "they" – there is no "they" where our students are concerned. We must encourage listening to each other, robust debate, and learning. Schools do best when they seek dialogue across ideological and political differences between and among the members of the campus community and when they share a commitment to transparent decision-making. This approach is most successful when it draws on months if not years of conversation and engagement.

I not only believe this to be true, I have seen it. I have had the opportunity to participate in the application of these principles on campus firsthand, during my years as the President of Brandeis University and recently during a multi-day "free expression residency" at an upstate New York college, that was part of an ongoing campus-wide engagement on issues of expression, community, and dialogue. During this time, I met with Jewish and Muslim student leaders to discuss their views on the Israel-Palestine conflict and how it has affected their lives. I shared personal stories of a former colleague who suffered the tragic loss of his son and daughter-in-law on October 7 and a former student, born in Gaza, whose family confronts the humanitarian crisis there. The ensuing discussion was not easy, but I believe that the students both spoke to and listened to each other. Campus officials have told me that these meetings continue in a spirit of "cooperation not antagonism," with the goal of advancing difficult conversations even where there are strong feelings and disagreement about key fundamentals.

Colleges and universities exist to examine complex issues, challenges, and ideas and to provide a forum in which issues and opinions can be explored and can be debated. Freedom of inquiry and expression must include the right to protest. As we seek productive paths forward, it is worth recognizing that this is not just a campus issue. We have seen increased polarization throughout the world so we should not be surprised when this happens as well on our college campuses. When it does, we have the opportunity to build on the critically important work of role modeling and of teaching how to practice free speech – not just with people who share our views but also those with whom we disagree passionately and yet share a community.

The challenges for which you have been prepared are compelling. The project that brought this institution into being, the encounter between modernity and traditional Jewish learning, remains vital. And the need for dialogue across difference has perhaps never been greater.

Justice Louis Brandeis taught us that “if we would guide by the light of reason, we must let our minds be bold.”<sup>1</sup> I wish you boldness in your thinking in the days and years to come, in what I hope and trust will be fulfilling and meaningful careers and lives. Grounded in the ancient, you will forge the future, enriching our lives, our communities and our world. Congratulations to you all and God bless you all.

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<sup>1</sup> *New State Ice Co. v. Liebmann*, 285 U.S. 262, 311 (1932) (Brandeis, J., dissenting)