

Joseph Weiler of New York University was awarded a 2025 Barry Prize for Distinguished Intellectual Achievement. In [this video](#), Mary Ann Glendon of Harvard University interviews Dr. Weiler about why real courage means risking the disapproval of your own “reference group,” why scholars should take journalistic and popular discourse seriously, and why we must have the humility to leave our megaphones outside the classroom.

Mary Ann Glendon, Harvard University

Hello, I am Mary Ann Glendon. I’m a member of the board of directors of the American Academy of Sciences and Letters, and it’s my honor and privilege today to be interviewing a 2025 winner of the Barry Prize for Distinguished Intellectual Achievement. Professor Joseph Weiler is internationally known for his work on European institutions and law, international and comparative law and so much more. Joseph, Professor Weiler, thank you so much for agreeing to share some of your insights in this interview.

One of the reasons, as I’m sure you know, for the Barry Prize is to provide encouragement to scholars everywhere who sometimes under very difficult conditions strive to promote excellence in scholarship and also to make significant contributions to the advancement of knowledge in their fields. One question that I have for you is whether you can give us some examples of people in your fields who have shown courage in pursuing those goals of excellence and the advancement of knowledge.

Joseph Weiler, New York University

Thank you. It’s a pleasure and an honor to participate in this. I should say something about intellectual courage. Usually, I am encircled by very privileged people working in well-paid institutions, prestigious, they have tenure for life, and it’s very common for a whole range of reasons to speak truth to power. Typically, the scholarship we see, and make no mistake, it’s important scholarship, is looking at law and showing the injustices it produces, whether it’s minorities, gender, LGBT, colonialism, etc. Again, these are important themes, but to speak truth to power in that way does not require courage, because there’s a lot of virtue signaling, and you get three cheers from your reference group. You’re one of us, you share our values, you’re speaking truth to power.

You only show courage in this kind of environment if you speak against your reference group, you go against the reference group, and you risk paying a price, excoriation, disapprobation, etc., and that is much rarer. It’s very rare to see people coming out with scholarly work, with an article, etc., that challenges their reference groups, and they say, how could he do that? I have two examples. One is my colleague at NYU, Tom Nagel, whom I consider one of the finest moral philosophers in the United States. He published a book a few years ago called *Mind and Cosmos*. Now, this is a person who doesn’t have a religious fiber in his body. These are his own words. And yet, that book showed – and I’ve read all the book reviews, no one was able to falsify him – that Darwinism cannot explain the emergence of human consciousness. Of course, that was a huge no-no. People called him a traitor, how could you write that, etc. It showed immense courage. He was criticized by his reference group, left, right and center. But that’s a form of courage. He asked, how can we explain the emergence of human consciousness? He said, for religious persons, that’s not such a big issue, because religious people believe that human beings were created in the image of God. He said, for me, that doesn’t work, because as I said, I don’t have a religious fiber in my body. So, all I can say is that maybe one day science will

be able to explain it. But he was very skeptical. That was a challenge to one of the dogmas of our scholarship, which is a materialist view of nature. I really admired him for that.

The second example is a recent book written by Karma Ben-Johanan, and it's called *Jacob's Younger Brother*. She's a professor at the Hebrew University, and she looked at the relationship between the Catholic Church and Judaism since the Second Vatican Council. First of all, it's a wonderful piece of scholarship, and tremendously readable. But it showed courage because what she shows in the book is that whereas the Catholic Church was offering a hand quote of peace to the Jewish community, it was rebuffed, and sometimes in an ugly way, by certain sectors of the Jewish community and Jewish authorities. Given her reference group, that's something you don't often see. Usually, when we have so-called interfaith dialogue, it's everybody falling on each other, oh, we all believe in one God, we are all brothers, we all enjoy meaningless encounters. Yet she was able very courageously, very honestly, to show something that could be embarrassing to her reference group. She also presents very courageously, faithfully and accurately the positions of Ratzinger. She basically focuses on John Paul II and Benedict, and she had some critical words to say, which also demanded courage.

These are two examples, which are rare, and I consider them true intellectual courage. You risk paying a price, and you actually go against your reference group.

Glendon

Those are wonderful, wonderful examples, and a reminder to all of us who hold tenured positions in universities, to be a little thoughtful when we speak about courage. Thank you, Joseph, for that.

Weiler

Can I say something, a footnote to what you said? It's not just to be a little more thoughtful, but a little bit more humble.

Glendon

Here's a related question. Do you think there is some work in this field, this vast field of international and comparative legal studies, that is currently being underappreciated? I think you've just given one example of that work that is currently underappreciated but that has great potential to advance human understanding and well-being.

Weiler

I have two examples. Is that okay?

Glendon

Of course. I'm smiling, because we Catholics, we usually have three.

Weiler

One comes from another book [*In the Freud Archives*]. It was published quite a long time ago by Janet Malcolm, the *New Yorker*, sometimes controversial, journalist, although this is journalism at its highest form. In academia, we often say "journalism" disparagingly, which is stupid, because who is going to comment on what's happening now? If we leave it to the historians, they never get to it, because it's

happening now. So that book by Janet Malcolm is an example of truly remarkably profound journalism. She describes is a controversy in the psychoanalytical community, which involved who would be the custodian of Freud's archive. It sounds pretty arcane. But what was so interesting was, it's a dramatic story. A character called Jeffrey Moussaieff Masson challenged the orthodoxy. As you said, the two questions are related. He challenged one at the heart of the Freudian apparatus. It's not only the challenge to some of the dogmas of the Freudian apparatus, but also in a way that I've never seen better done, the foibles, the egos of academic controversies. I learned quite a lot about Freud and that dispute. But I learned it was like looking at the mirror and seeing all our warts, how academic controversies take place. We don't like to see that. It is a very good, nonpolarizing, serious look at academic disputes.

The second example is closer to home and closer to your question. We live in polarized societies and with so-called democratic slides. So here I'll be in Europe. Rightly so, we critique some of the regimes that emerged, for example, in Hungary with Orban, or in Poland with peace, truth and justice. Typically, what we say is, apart from condemning all the new right, etc., when we come to the explanation, it's a material explanation, the unequal distributions of the desserts of globalization. There is a strand of scholarship that says, let's listen to them seriously. It's not only a material concern, what they are rebelling against, it's not that suddenly from one day to the next, you have 20 million Frenchmen who became fascists and are voting for Marine Le Pen. The same thing is true in other countries. What that literature identifies is the lack of respect that these people feel.

Now, why do I say, as you said, it connects the two questions? Because, first of all, that whole theme of "lack of respect" is underappreciated in the analysis of polarization. It always turns back to unequal distribution of material goods. What happens when people say that they are immediately accused, oh, you've become a fascist, you're supporting the enemy. It's either them or us, etc. It's actually *that* literature that gives us a much better insight to explain polarization. It's also true in the United States, but I don't want to go into that. Certainly, in Europe, of which I've been a student for several decades, I find "underappreciate" the nonmaterial explanation for popular – if you like it, it's popular; if you don't like it, it's populist – for popular resentment against some of the existing features of liberal democracy. So, there's an example of underappreciated insights, which we don't see in the mainstream. When we see it, they are just condemned, you have gone over to the enemy, which is absolutely not true.

Glendon

I just have a brief comment on your praise of Janet Malcolm's book. I have often thought that those of us who write scholarly books and articles ought to take a pause after each of those works and see if we can write a short piece in what I would describe as what Janet Malcolm does, as high journalism. I think maybe we academics should do a little bit more high journalism to get our thoughts out than we do at present.

But coming to your second point, which is so important, about acknowledging the desire for recognition and respect, and the part of people with whom we are supposedly engaging in discourse, that leads directly, Professor Weiler, into the last question that I want to ask you. It concerns the current state of, I was going to say, international and comparative legal studies, but really, it's a question about the current state of our institutes of higher education and where we are with respect to what are supposed to be the goals of liberal education, which include not only the pursuit of knowledge and truth, but respect for the opinions of others, which you show by engaging in respectful civil dialogue with them.

So, the last question is, what do you see as the most important challenges right now for maintaining high standards in our fields of international and comparative law, or more broadly?

Weiler

First of all, I feel I belong to a diminishing minority, which is an old-fashioned liberal who takes Voltaire seriously. I hate everything you say, but I will defend to the death the right to say it. It's always where you draw the line, and my line is drawn much further than that of many of my colleagues, when it comes to canceling, etc. That is what I consider the biggest challenge to the academy now, to resist polarization at the gates of the university, to teach ourselves first and to teach our students the value of listening, discussing – you leave your megaphone outside when you come into the university. It's reason that prevails, not who shouts louder.

I lament the fact that the academy itself has become so polarized. It's either for us or against us. Somehow, and I know the arguments on the other side, we should not invite somebody because it legitimates their point of view, etc. I resist that. It's true, there are cases; I probably wouldn't invite somebody who argues that the world is flat. But I'm, for example, against the laws in many countries that criminalize Holocaust denial, and today, it's a little bit like the world is flat. I remember when the debate started in the 80s. I said, we have to debate these people, we have to win by reason and not just exclude them as anathema. I can give plenty of examples today, where the invasion of polarization into the academy has stifled the main mission to restore. You win by argument, you don't win by shouting, you don't win by exclusion.

I'll give you a dramatic example. Although I'm Jewish, since I teach a seminar on the trial of Jesus, the Catholic students flock to me. It pains me when they say that in the general population of students, they would not dare, for example, to speak against abortion. Now, one can have different views on abortion. But the fact that Catholic students are afraid in public to say, I'm against abortion, shows to me that something very wrong is happening in the academy. I could give other examples, but I think that illustrates it. It's not popular, one is attacked both from the right and the left. Sometimes I think to myself, when both the right and the left excoriate me, maybe I'm getting it right. Although that might also be pandering to myself. That is the biggest challenge to the academy today, when we live in a polarized society, to not let that come into the academy and displace true liberalism in the Voltairean sense.

Glendon

It's a betrayal of what liberal education stands for. It's a great disservice to our students and to our political regime, which is supposed to protect these centers for dialogue.

Joseph, thank you for sharing your wisdom with us. And thank you even more for being a paragon of all the virtues that the Barry Prize seeks to honor. Bless you.

Weiler

Thank you very much.