INTRODUCTION

The major dual missions of faculty are to discover new knowledge, seeking the truth through research and scholarship, and then transferring that knowledge to society through the teaching of the community, undergraduates and graduates. Tenure and academic freedom are critical ingredients in attracting and retaining the best and brightest to academic life and allowing faculty to challenge bias, untruths and dogma. These rights are critical to allowing faculty to freely express themselves without fear of political and administrative repercussions.

Some universities are considering changing to more part-time faculty or multi-year contracts. While most institutions plan to keep tenure, some are making modest reforms, and the end of mandatory retirement has brought new questions. A survey by the Department of Education has found that many U.S. colleges and universities have taken some action that may change the proportion of faculty members on tenure.

CHANGES IN DEMOGRAPHICS AND MANDATORY RETIREMENT

As a victory over ageism, a 1986 federal law eliminated mandatory retirement for academics. This rule passed by Congress, was phased in and took final effect in 1994 raising the possibility that after that date professors could be tenured and employed until death. Concern about tenure is being trumpeted now that fixed ages of retirement have been thrown out. Multi-year renewal of the contract between the university and its faculty has been proposed by some as an alternative for tenure.

Cost-conscious administrators are said to be troubled about the prospect of older professors staying on until they drop at the lectern or in the lab. In an article by Bowen, it was reported that during the eight years prior to 1995, the presiding cohort of senior professors—some 40 percent of tenured faculty—were to have reached conventional retirement ages of 62 to 65. But the law now forbids any mandatory retirements that are based on age.

The prospect of declines in undergraduate enrollment may further reduce the demand for new, full-time tenure track professors. Tightened university budgets and lower federal spending make salary money scarce, and recessions in some states have brought budget cuts that have affected many public universities. The result: with entrenched senior professors guarding the gateway to tenure, many junior professors may be facing slimmer prospects for tenure. Some schools have begun to nudge older professors out the door with a variety of enticements. Johns Hopkins University has supposedly decided to increase the basic pension payments of departing 65-year-olds by 20 percent to 30 percent—a bonus that shrinks the longer they stay. Beloit College in Wisconsin is said to have a program that eases professors into retirement while younger colleagues, with whom they are paired as mentors, are phased into full-time teaching positions.

What may preserve the system in the short term for some
only eight candidates for every ten teaching positions in the arts and sciences during the decade starting in 1997. Some reports suggest that this could create a seller’s market in which a dwindling pool of professors may be able to hold on and obtain higher salaries—and firmer tenure guarantees.

ACADEMIC FREEDOM AND TENURE

David Baltimore, president of the Rockefeller University in New York agrees, along with many others, that tenure should be strongly defended as the guarantor of academic freedom(1). In times of financial exigencies and political stress it should serve to protect faculty against the imposition of dogmatism and myopia. He admonishes that tenure should not be viewed as a trade-union function of guaranteeing a job until retirement.

Strong and eloquent support for tenure has also been published in The University: An Owner’s Manual, a recent book by Dean Henry Rosovsky of Harvard(4). Rosovsky states that tenure is the central element in the contract between a university and its faculty and that without it the university would lose cohesion, vitality, and identity. Rosovsky argues for a number of other equally important values of the tenure system. He reminds us that the process of granting tenure is a source of internal discipline in the evaluation processes of academia. It is the key element in the university’s quality control procedures. The criteria used for deciding whether to grant promotion and tenure define the institution’s level of excellence. To Rosovsky, the most important thing about tenure is that it is a social contract. It admits the faculty member to the university’s family and ties the university and the professor in a healthy bond for positive energies and long term growth. It can also be argued that tenure is partial payment of the substantial debt owed them for staying with academia and thereby accepting much lower salaries than they could earn in industry. For other faculty, tenure provides some continuity and insulates them from the possibility of fluctuating university budgets. Ideally faculty should defend tenure in the name of “academic freedom,” and not in the name of “economic security.”

An important concept discussed in Rosovsky’s book is the “tenure track” process of evaluating new faculty. Holding out tenure as the end point provides criteria and a defined goal for the evaluation process. The process should be fair and within strict procedures, and it should be for junior faculty a just set of expectations and therefore increases motivation and achievement. The tenure track is an apprentice period, after which gaining tenure truly represents acceptance into a family. Tenure plays an important role in the life of a university. Attempts at reengineering tenure, especially by non-academic or political pundits, could be very harmful.

RESPONSIBILITIES OF FACULTY

Tenure is certainly a multi-party contract as discussed by Baltimore and Rosovsky. Faculty must play and be allowed to play key roles in determining university policy, curriculum design, and in hiring of faculty and administrators. Service can be many things: service on local and national committees, service to the local and professional community, and of course, patient care services. Teaching and advising students is a vital responsibility. The demands of scholarship, research and consulting—especially the need for obtaining grants and contracts to carry out scientific research—often take professors’ time away from the university and absorb their concentration when they are in residence.

As the demands increase for outside financial support, the allegiance to the academic institution can be diluted. Baltimore suggests that, research, travel, and the adulation of colleagues are often more personally rewarding than hassling with other faculty over course structure or facing unappreciative administrators or undergraduates. It is difficult for part-time faculty to contribute fully to the student advising along with the teaching, research, scholarship and service commitments of full time faculty.

Cotter states that in most cases, the granting of tenure has liberated the faculty member to become even more productive and important contributor to the quality of academic and campus life. He goes on to suggest that a faculty members finest scholarly work is usually produced after tenure(5).

DEBATING THE PROS AND CONS

O’Toole(6) and Van Alstyne(7) have written juxtaposed views on this issue that are worthy of summary. O’Toole has suggested that academic tenure systems are not necessary; that the protections they were originally designed to provide against arbitrary dismissals and violations of academic freedom have been so thoroughly absorbed into our legal system that tenure is now a redundancy. O’Toole suggests that the tenure systems does not create enough faculty turnover, making it difficult for an administrator to reengineer faculty members activities. Van Alstyne rebuts O’Toole’s arguments about tenure. He point out that even O’Toole admits that general academic process of truth and fairness fosters an elaborate due process system that is sufficiently locked into place on most campuses so as to make permanent tenure really just part of continuous quality assurance. Van Alstyne states that it is difficult to see how the elimination of tenure itself would ensure a healthier rate of turnover. Presumably, any college or university operating without a tenure system would still be obliged to satisfy the stiff requirements of the courts or their own intramural grievance procedures and evaluations.

Van Alstyne asserts that it is the tenure system itself that establishes the procedural safeguards that O’Toole confuses as having an independent source. Most institutions that might disallow tenure operate under an indefinite series of term contracts. Irrespective of length or excellence of service, each faculty member is put at risk by the terminus of his or her current contract.

Van Alstyne goes on to state that “a tenure system differs fundamentally from a renewable contract scheme by providing that, after six years of on-the-job performance, the institution will put an end to the faculty member’s indefinite probation. Thereafter, the faculty member can be subject to termination for cause, that cause must be shown in a fair, intramural hearing inclusive of peer evaluation and academic due process.” Van Alstyne reminds us that when O’Toole declares that “almost all universities now provide elaborate due process... for faculties, he is correct only because “most all universities maintain a tenure system...”

Tenure benefits society in a multitude of ways. Tenure is the protector of free inquiry, insurer of academic excellence, contributor to scholarship and research and a means of stimulating and supporting the best and brightest for our faculties. Van Alstyne reserves for the last the most serious misstatements of O’Toole’s article. “These are the several arguments that suppose that external law has buttressed the academic freedom of faculty members and supplied due process safeguards sufficient to dispense with a tenure system. Again, he says O’Toole is mistaken. Rather, courts are generally available (to those with the money and leisure time to wait) only to ensure that institution shall in fact do what it has specified. Thus only when an institution operates a tenure system—when its faculty is not subject to the revolving door of term contracts, each of which is wholly new—can effective judicial recourse be secured if the institution reneges on its promises. Courts generally enforce the procedural safeguards of tenure; they do not, however, invent them.

As for academic freedom, Van Alstyne says that no university could survive without it and academic freedom extends not just to the tenured faculty but to all faculty members. It is not tenure that significantly undergirds the kind of freedom of research and teaching that is crucial; it is rather the willingness of the institution to defend it when need arises, whether the attack comes from outside or from the inside the university.

Tenure benefits society in a multitude of ways, tenure is the protector of free inquiry, insurer of academic excellence, contributor to scholarship and research and a means of stimulating and supporting the best and brightest for our faculties. Academic freedom? What does a lifetime appointment have to do with academic freedom? If people have lifetime appointments, you can
bet they will have academic freedom, because they can’t be fired for saying what they believe(7).

AAUP, UNIONS AND OTHER ORGANIZATIONS

The American Association of University Professors—the AAUP—is a strong defender of tenure and academic freedom. It advocates that administrators must provide a written statement of reasons when a contract is not renewed. And faculty union contracts now often offer full protection of academic freedom even if a faculty member does not have a tenured, lifetime appointment. AAUP and faculty unions are generally supporting academic freedom in all of cases, for people on contracts, for people whose contracts are up for renewal, and for people on tenure. A report of the Commission on Tenure, sponsored by the AAUP and the Association of American Colleges has declared that tenure is justified on the ground of its necessary undergirding of academic freedom(7). As written by many of the defenders of faculty, academic freedom is guaranteed not so much by the tenure system but by a thousand years of Anglo-American tradition. The true source of academic freedom from Socrates to Scopees has been the courage of individual scholars to face up to would-be despot’s and book burners on school boards, state legislatures, and academic administration. Such moral resistance and not bureaucratic structure or highbrow statement of principle has always been the ultimate downfall of those who would tell Americans what to think, write, or teach.

At some small, mostly liberal arts, colleges across the country, tenure has recently given way to limited-term contracts, special long-sabbatical deals instead of tenure, or simply hiring part-timers, non-tenured faculty, instead of tenure track faculty. But in the larger picture, the institution of tenure still holds strong. Figures from the U.S. Department of Education show that overall, the percentage of full-time faculty with tenure in the United States has actually gone up a point in the last decade, to 63.7 percent in the 1991–92 academic year(3). For private, four-year colleges, the percentage of tenured professors has risen from 60.4 percent in 1980–81 to 62.7 percent in 1991–92(8).

The issue of tenure reform “comes up every so often,” says the University of California system’s assistant vice president for academic advancement Ellen Switkes(8), “but the fact is that there is only a handful of institutions—mostly small colleges—that have actually abolished tenure.” Despite all the turmoil, the vast majority of U.S. institutions of higher education have no desire to drop tenure. The reasons are relatively simple. Most faculty members support it—71 percent, according to a survey by the Carnegie Foundation for the Advancement of Teaching(8). What’s more, the idea that abolishing tenure would save money is unproven and mostly untested says Switkes. Richard Chait, a University of Maryland education professor who has been studying tenure for two decades, believes that the institution of tenure is so entrenched in U.S. higher education, and backed so strongly by such as the American Association of University Professors, that no dramatic changes are likely(3). According to Switkes, schools are replacing greater emphasis on research or are raising their overall criteria for tenure. The trend is also reflected in the Carnegie survey, in which more than half of faculty members nationwide said that tenure is more difficult to achieve today than it was five years ago. That doesn’t mean fewer people are getting tenure, though, says Switkes—rather, less qualified people are now less likely to get academic jobs.

CLINICAL, NON-TENURE, OR PART-TIME TRACKS

In colleges of pharmacy, there have many new faculty who have been put on “clinical track” which can be a “non-tenure track.” Faculty, and especially clinical faculty (whether they are on a tenure or non-tenure track) experience a great deal of stress in their multiple roles with teaching, research, academic service, as well as clinical service. In one survey to 26 medical schools, 252 full-time faculty members, 46 percent of respondent reported “high” or “very high” levels of usual stress; 64 percent were stressed beyond a “comfortable” level at least “frequently.” Women, assistant or associate professors, and faculty on the tenure track reported feeling “overstressed” very often(9). Major sources of stress were pressure to do research, family needs, and lack of personal time. Frequency of feeling overstressed was reduced if respondents felt valued by their chairperson and by other faculty. Within the last year, 47 percent had considered moving to another school. Another 43 percent had considered leaving academia. The more frequently the respondent felt overstressed, the more likely he or she was to have considered such changes. The conclusion from the study was that stress currently experienced by these faculty is substantial, that stress affects long-term commitment to academia, and that creative solutions to this issue must be explored.

To save money and gain flexibility, universities are increasingly using part-time and non-tenure track faculty. Over the last decade, the percentage of part-time faculty at U.S. institutions has risen by more than 10 percent and is projected to reach 283,000 at four-year campuses by the end of the decade. While these issues are largely unresolved, universities are staffing classrooms in increasing measure with part-timers, creating a new class of “academic gypsies.” Among the 32,000 professors in California’s university system, the country’s largest, about 33 percent are temporary. Nationally, of 700,000 faculty, 30 percent of professors in some of the liberal arts are not permanent; the percentage is rising downward in other fields. Emily Abel, a researcher at the University of California, Los Angeles, and author of a book on college employment, says of the growing race of gypsies, “They are cheap labor that colleges and universities are relying on to save money.”(2)

These kinds of adjustments are unfortunate, but these part-time or non-tenure track approaches may help to avoid serious changes with the concepts of tenure. Certainly tenure track faculty should do everything they can to protect the academic freedoms of non-tenured faculty.

CONCLUSIONS AND CONSIDERATIONS

Academic defenses of tenure are commonly put in terms first of the uniqueness of academic calling, second, of academic freedom, and third, of special inducement needed to attract individuals to lower-paying positions in colleges and universities. As voiced by Van Alstyne(7), “Arguments that tenure for college teachers in counterproductive fail to define what is important about its purpose. Faculty would be completely vulnerable to administrative fiat without the guarantees provided by tenure.” It is said that the American Bar Association in the past required that for accreditation of any law school, it must offer tenure. Perhaps faculty should ask pharmacy accreditation standards to include such a requirement.

Unfortunately, too frequently tenure and academic freedom are being inappropriately challenged by administrators, legislators, business managers or other individuals. These individuals are often without advanced training or scholarly accomplishments and are trying to advance their own narrow and short-term perspectives. Too often group of administrators are observed in meetings in “group think,” following their “leader,” without challenging assumptions or without considering faculty, student or societal perspective. In spite of the standards established in trials following W.W. II, too many times administrators or department chairs tell faculty that “they (as administrators) have no choice,” “they are only following orders.” Academia should avoid appointing or promoting administrators who “just following orders.” Hopefully much good will come from any tenure and academic freedom debates on college campuses. Faculty and administrators in these debates in various parts of the country have said that it has helped them become clearer about what they consider to be the fundamental principles of academia. We must not look at cost constraint battles as a place where one professor’s gain spells another one’s loss, and we should all try to further stimulate fairness and collegiality.

Society benefits from tenure in a multitude of ways. Tenure is
the protector of free inquiry, insurser of academic excellence, contributor to scholarship and research and a means of stimulating and supporting the best and brightest for our faculties. Tenure is critical to society because tenure protects the rights of faculty to make known the results of their study and research, however challenging, unpopular, or unpalatable, without fear of recriminations including the fear of losing an appointment. Tenure is essential for the protection of academic freedom and for advancement of a free and informed public.

References

Additional Readings