

THEC Director To Speak at Fall Meeting

The Fall meeting of the Tennessee Conference will be held Saturday, October 4, on the campus of Nashville State Technical Institute. We will meet from 10 AM to Noon and from 1 to 3 PM in Room L-103 of the NSTI Library. A continental breakfast will be available at 9:30.

There is a registration form on p. 5 of this newsletter; registration is also possible at the meeting, but priority for the luncheon will be given to those who are pre-registered.

To reach NSTI, take I-40 to Exit 204, then drive 1.25 miles south on White Bridge Road. Enter the NSTI campus at the 2nd driveway; the Library is at the left rear of the campus.

The speaker at the morning session of our meeting will be **Dr. Cathy L. Cole**, who is acting director of the Tennessee Higher Education Commission, a member of both the Tennessee Board of Regents and the UT Board of Trustees, and a member of the Governor's Council for Excellence in Higher Education.

The conference meeting is a valuable opportunity to meet your colleagues from other schools and to participate in collective measures to improve higher education in Tennessee. Please join us.

Nominations for Conference Offices

An election will be held this winter for all Conference offices: president, vice president for public institutions, vice president for private institutions, and secretary-treasurer. Please send your recommendations for nominees to either of the members of the Nominating Committee:

Robert Hughes
Theology
University of the South
Sewanee, TN 37375
615-598-1377
rhughes@sewanee.edu

David Lee
German
University of Tennessee
Knoxville, TN 37996-0470
423-974-3421
dlee@utk.edu

Please volunteer your own name if you are interested in becoming more active in the work of the conference. The Nominating Committee hopes to complete the slate of candidates by the end of December, so send your suggestions soon.

Organizing Success Story!

The following article was written by Richard P. Gildrie, Department of History and Philosophy, Austin Peay State University. Dick is president of the AAUP chapter at APSU. The membership growth at APSU has been phenomenal: in April there were 13 members, in July 37 members, and as you will read below there are now 78 members. Dick explains what led to this development.

During the mid-1960s there was an AAUP chapter at Austin Peay State University but by 1970 it had disappeared, as dues rose and a stronger connection with TEA was stressed. Over the years sporadic efforts to revive the chapter proved futile. However, in 1996-97, there was success. The chapter now, as of September 1997, numbers seventy-eight members, just over one-third of the regular faculty.

National, state, and local pressures combined to cause this happy outcome. First, the national debate on tenure, particularly the struggles in Minnesota and Texas, caught the attention of several of us. Also the national trend toward increased reliance on adjunct and part-time faculty is worrisome. These people are being grossly exploited. On the other hand, for us regular faculty, their presence and plight undermines attempts to build a coherent liberal arts academic community here at APSU. We want them to be "tenure track" so far as possible.

The State's unwillingness or inability to develop an intelligent policy for higher education, as most obviously reflected in the budget impoundments during a year of surplus, alarmed many here. We can see a couple of our neighboring states doing much better with fewer resources, or so it seems on the surface at least.

Most important, however, were the local campus conditions. Our new president is essentially an affable authoritarian who is secretive about finance and manipulative in the management of people. There has been a “purge” of the administration. The staff is thoroughly intimidated while many on the faculty believe that only the rules of tenure and academic freedom prevent us from being similarly treated. As it is, there have been incidents enough to convince us that our new leaders are, to say the least, uninterested in any genuine sense of academic community.

On the whole, we suspect that, rhetoric to the contrary, there has been a drain of resources away from instruction, research and other academic and artistic work into various administrative projects. Average class size is growing; equipment and library budgets are shrinking. Pressure to use more adjunct faculty is increasing. Frequent floating of schemes of reorganizing academic and administrative units (always leading to more bureaucrats and less teaching) keep all confused and most of us “jumpy.”

The recruitment effort to build the chapter depended heavily on face-to-face discussions, encouraged by copying and distributing the AAUP membership forms and walking them into the offices of the more senior and unhappy members of the faculty of the College of Arts and Sciences. From there we spread out into the colleges of Business and Education. Once we had signed up the minimum for a chapter, we held an organizational meeting to which all faculty were invited but where only those with cards could vote. We encouraged the untenured to wait until we had around 40 tenured members. We also “intervened” in a polite way in a couple of cases where younger faculty believed that they were getting a raw deal. We made nothing of this effort, but the beneficiaries did talk for us. Also we spoke before various meetings of the Faculty Senate, showing them that the better parts of the current rules were from the AAUP standards, which have always been held in high regard on campus, at least until lately.

An AAUP chapter is for us mainly a form of defense while the Faculty Senate plays offense. Frankly, if peace erupts on this campus, our membership will dwindle rapidly. However, several of us are determined to use this opportunity to establish a permanent AAUP presence in the sure and certain knowledge that such an organization is vital to the health of this academic community.

Salary Position Worsens

Data published in AAUP’s Annual Report on the Economic Status of the Profession in the March-April issue of *Academe* show that the salary rankings of Tennessee’s public higher education faculty declined as compared with their peer institutions.

Taking UT-Knoxville and the Univ. of Memphis as examples, the two tables below show that the average salary for all ranks places Tennessee schools near the bottom in a comparison with their peers. UTK ranks 8th out of 11 institutions, and Memphis ranks 10th out of 11 institutions. Tennessee schools have now dropped to the levels of 1993–94, when UTK ranked 7th and Memphis ranked 10th; they had been 5th and 8th respectively in 1994–95.

Institution	1996–97 Salary Average for All Ranks
1. Univ. of North Carolina, Chapel Hill	67,600
2. Univ. of Virginia	66,100
3. Univ. of Texas, Austin	63,800
4. Univ. of Maryland, College Park	60,900
5. Univ. of Georgia	57,700
6. Univ. of Florida	57,200
7. Univ. of Kentucky	57,000
8. Univ. of Tennessee, Knoxville	56,900
9. Virginia Polytechnical Institute	56,400
10. Univ. of South Carolina, Columbia	54,700
11. Univ. of Oklahoma, Norman	50,800

Institution	1996–97 Salary Average for All Ranks
1. George Mason Univ.	62,600
2. Georgia State Univ.	59,000
3. Univ. of Houston, University Park	57,500
4. Univ. of South Carolina, Columbia	54,700
5. Virginia Commonwealth Univ.	54,100*
6. Univ. of Louisville	51,900
7. Univ. of Alabama	51,100
7. Univ. of South Florida	51,100
9. Univ. of Arkansas, Fayetteville	50,200
10. Univ. of Memphis	49,800
11. Univ. of Mississippi	47,600

* 1995–96 average; data not available for 1996–97.

1998 Meetings Scheduled

Please mark your calendars for the following meetings of the Tennessee Conference, AAUP:

Spring 1998: April 4, Univ. of Tenn., Chattanooga

Fall 1998: October 3, Middle Tennessee State Univ.

The Assault on Faculty Independence

by Matthew W. Finkin

The following essay was excerpted and edited—for publication in AAUP's Fall 1997 Footnotes—from an article that will appear in the September-October 1997 issue of Academe. Matthew W. Finkin is the Albert J. Harno Professor of Law at the University of Illinois, Champaign-Urbana and editor of The Case For Tenure (Cornell 1996).

In 1915, a committee of distinguished academics issued a Declaration on academic freedom and tenure. The claim was not kindly received. Regental and administrative authority pointed to the fundamental principle of subordination in the employment relationship against which the profession's claim was presumptuous. By 1940, the academic profession and the Association of American Colleges had come to agreement that acceded (largely) to the profession's view. The resulting joint 1940 *Statement of Principles on Academic Freedom and Tenure* defined the faculty member as an officer of the employing institution. The 1940 *Statement* not only recognized the need for tenure, it secured it as a buttress for freedom to dissent from authority, even to criticize one's employer.

Recently, however, a massive assault on tenure has been mounted. We have been summoned by C. Peter Magrath, president of a major association of public universities, to an open debate, and by Richard Chait of Harvard's Graduate School of Education to civilized discourse and incisive analysis. But, on inspection, little they offer is open-minded or incisive, let alone civilized. Instead we have been presented with a series of tendentious propositions packaged with the slickness of a political campaign including: (1) The Big Lie; (2) The Red Herring; (3) The Invidious Comparison; (4) The Glittering Generality; (5) The Trojan Horse; and (6) The Half Truth.

1. The Big Lie: Magrath has opined: We must acknowledge that academic freedom and tenure, in fact, have been uncoupled. The assertion rests upon the fact that all persons enjoy the speech protections of the United States Constitution, whether an untenured instructor or the holder of an endowed chair, as they do—if they are employed in a public institution. Necessarily, then, Magrath conflates academic freedom and constitutional free speech. But, the two are not coextensive, as has been well established in the legal literature. Why the repetition of it now?

2. The Red Herring: Richard Chait claims the fact that half of all faculty members do not have tenure calls into question the bond between academic freedom and tenure. The use and abuse of non-tenure eligible positions is a real issue, but it says nothing about the bond between academic freedom and tenure. The economist Fritz Machlup wrote that if tenure is to serve freedom, it is ... essential to make [tenure rules] cover as large a portion of the faculty as is possible *without jeopardizing other equally important objectives*. It may well be that institutions have gone much too far in the use of contingent academic staff.

But it does not follow that because too many non-tenure-track appointments have been made, tenure no longer serves the ends conceived for it. Does the fact that not everyone is tenured mean that no one should be?

3. The Invidious Comparison: Magrath also points to the fact that people outside the academy, people whose jobs are insecure, resent faculty members whose jobs carry special protection. Most jobs in the private sector in 1915 and 1940 were held at-will as are most jobs in the private sector today. This says nothing as to what system is sensible for college and university faculty. For example, one argument for tenure adverts to the political difficulty trustees and presidents have in defending the free speech rights of embattled faculty in the face of substantial hostility from outside the academy. It is easier to say that a hearing must first be afforded because of tenure than to defend the speaker's right to utter offending words. If we are now called by chief executives to abandon tenure because of public displeasure in the abstract, how secure can we be that these same executives will display courage under hostile fire when directed at a visible target?

4. The Glittering Generality: Of the 1940 *Statement*, Chait says, [O]ne size no longer fits all. Institutions need more alternatives to better serve individual faculty members and thereby strengthen departments and institutions. But what does he mean? Though academic tenure is often spoken of as a lifetime job, it actually provides that, after completion of a probationary period, a faculty member cannot be dismissed except for adequate cause or other valid conditions such as financial exigency or the *bona fide* discontinuance of an academic unit. That is the one size that fits all. Where is the lack of fit with the ends it is designed to serve? Chait never says.

5. The Trojan Horse: Chait does come up with one concrete proposal. He suggests that institutions should offer to buy out tenure in return for a higher salary or other benefit. This gives pause. The Minneapolis College of Art and Design recently offered its faculty a substantial salary increase—they had had none in two years—in return for a contract terminable without cause, not in lieu of tenure, for they had none, but in lieu of their existing short term appointments. Not surprisingly, virtually all of them accepted. The administration then dismissed five senior faculty under that provision. It had, of course, purchased the right to do so; but we can legitimately doubt the voluntariness of the sale.

The proposal errs fundamentally, however, in its very conception of tenure. Tenure is not a piece of property, a gift or special benefit disposable by the beneficiary acting in his or her economic self-interest. Machlup explained that some faculty would be pleased to sell their tenure for higher salaries. They rarely speak or act in a manner displeasing to higher authority and don't expect to. They may even resent the disruption stirred up by the outspoken. It is not surprising that contentment reigns among such faculty. But it is important to the outspoken, and to us all, that the indifferent have the capacity to become outspoken or rise to a critical issue.

6. The Half Truth: Both Chait and Magrath point to a recent paper by Peter Byrne of the Georgetown Law

School as evidencing how academic freedom might be assured without tenure. Chait outlines the key elements in detail: these would provide for a peer-dominated review panel, a hearing to determine whether a violation has occurred, and, possibly, the arbitration of remaining claims. These are indeed the key elements, save the one that Chait neglects to mention: the need to maintain independence of judgment of the appeal panel. Byrne concludes that the members of such a committee require a "special guaranty of security, even tenure ... to give them adequate independence." So it seems that tenure has something to do with academic freedom after all. But why should only the members of these committees be fully protected in the exercise of independent judgment?



What current critics fail to appreciate is what the regents and presidents did appreciate in 1915, that the question of tenure is a question of the status of the faculty in the University. Peter Byrne has put the point elegantly:

The debate about tenure is a debate about power....

Opponents of tenure want administrators to have more power to deploy faculty as academic assets ... to obtain greater benefits for students and society at lower cost.

Defenders of tenure believe that faculty who have proven their professional competence should enjoy a measure of independence and dissent from the projects of administrators and regents, and from the preferences of students or of the public. This view depends on an understanding of the nature of scholarship and teaching, that it thrives in a context of free and mature academic judgement....

In short, the case for tenure rests on the belief that the permanent faculty is the heart of any educational institution.

Tenure and the Management of Higher Education

by Mary Burgan

The following essay will appear in AAUP's Fall 1997 Footnotes. Mary Burgan is AAUP General Secretary.

In the current attacks on tenure, opponents have based their arguments primarily upon economic and managerial assumptions. Such assumptions find academic tenure unsound because it removes the impetus for competition from too many faculty, because it substitutes the ideal of security for the reality of market forces as a basis for faculty employment, and because it involves individual, autonomous employees in making decisions that should be retained by a centralized management for flexibility and efficiency. Competition, the market, and managerial expertise are the inalienable components of social efficacy, if we are to believe the popular press, media profiles of entrepreneurs, and the gurus of management best-sellerdom. And this thinking has so permeated public discourse that its assumptions, like the assumptions of any unacknowledged ideology, are rarely examined. Thus the

current animus against the institution of tenure has been accepted by many members of the general public as a clear, common-sense rejection of an outmoded and obviously counter-productive way of doing business in colleges and universities. There is a call for a new market mentality in running higher education. As a matter of fact, the higher education "market" has now been segmented into the "medallion," the "generic," and the "convenience" brands. Only the name brand requires a tenured faculty.

I have been spending the last year trying to search out the origins of the assumptions behind the attacks on tenure. I got a major clue in this search from my colleague, Carolyn Williams at the University of Minnesota, who came into my office here in Washington during the Minnesota crisis to ask if I had ever heard of James Champy or Michael Hammer, if I had read any of their books? They were guides for the Minnesota "reengineering" that was causing so much faculty resistance at the time. Carolyn, now president of the AAUP chapter at Minnesota, had been shocked to find that much of the language of their best-selling paperbacks was fast becoming the language of the university's revision of the tenure code. Later in the summer of Minnesota's discontent, other consultants to the Board suggested that the code would be improved if it included the Orwellian statement that faculty should "maintain a proper attitude of industry and cooperation."

As an English professor, I have to admit that I tend to take my satire from the fiction rather than from the business section of the book store. I first became aware of the market mentality in higher education when I read Jane Smiley's recent university novel, *Moo* (1995). In the Midwestern state university of that novel, Dr. Lionel Gift thinks of his students as "customers" and preaches the mysterious efficacy of "the Market" to hundreds of the eager economics majors in his lecture hall. In Dr. Gift's view of the world, competition is the happy lot of each individual, and it is his sacred duty as a teacher to celebrate not only the rewards of success but the bracing discipline of failure. Gift counsels his "customers" to understand that the state of any individual's fortunes is immaterial in a world in which the market distributes goods and services with mysterious efficiency, that to cultivate indifference "as a way of avoiding illusions of sympathy or envy, was every individual's duty toward the truth." The other duty is to learn to love the Market. Although one lone student feels that his lectures are "rollicking tales about an entirely alien planet, the Bizarro Planet, home of Bizarro Superman," she strains to understand enough to pass the course. And so she attempts to sort out Dr. Gift's abstract praise of the way things are with what she knows from living on a farm, where "the market's" workings are never so benign.

Browsing through *Reengineering the Corporation* by Michael Hammer and James Champy (1993), I had to remind myself that I was not in the world of academic satire. The breathless and self-congratulatory celebration of a new world order is conveyed with such hype that the entire volume reads like an endless commercial for the

“three Cs: Customers, Competition, and Change.” And, to add philosophical resonance—big thinking—to this commercial, the prose is overlaid with apocalyptic allusions which threaten evolutionary annihilation to those who lag behind. Here is a sample: “In today’s environment, nothing is constant or predictable—not market growth, customer demand, product life cycles, the rate of technological change, or the nature of competition. Adam Smith’s world and its way of doing business are yesterday’s paradigm.”

If the language of such sweeping claims for the primacy of the three C’s is grist for Monty Python, the effects are very serious. For the language has penetrated all sectors of work in our society, creating structures of value which do not conform to human needs. In a recent editorial in *The Washington Post*, Dr. A. Bernard Ackerman (of the Jefferson Medical College in Philadelphia) warns of the problem for physicians who have been forced by the market into becoming “providers” for their “customers”: “The issue . . . is not merely terminological or semantic. It cuts to the core of the values of a society: how it perceives,

or fails to perceive, the difference between a profession and a business.” (July 8, 1997, A15) Ackerman goes on to claim that a professional works not only for a wage, but for the good of society; he or she is motivated by “idealism,” a term that has been devalued in the current effort to measure the cost of goods and services.

We professors need to be aware of the same tendency as the semantics of business are applied to our profession. It is no laughing matter.

Visit the Conference Web Site

The Conference maintains a WWW site at <http://funnelweb.utcc.utk.edu/~glenn/AAUP.html>. The site includes newsletters, chapter contact information, and links to other sites of interest to AAUP members. Please send your suggestions for additions to the site or for format changes to bglenn@utk.edu.

Officers and Committee Chairs

PRESIDENT

Robert Glenn, UTK
bglenn@utk.edu

VICE PRESIDENT FOR PUBLIC INSTITUTIONS

Kenneth Scherzer, MTSU
kscherzer@acad1.mtsu.edu

VICE PRESIDENT FOR PRIVATE INSTITUTIONS

Marius M. Carriere, Jr., Christian Brothers Univ.
mcarrier@cbu.edu

SECRETARY-TREASURER

Gilbert Fernández, Tennessee Tech
gjf9195@ntech.edu

CHAIR, COMMITTEE A

(Academic Freedom and Tenure)
IMMEDIATE PAST PRESIDENT
Robert Hughes, Univ. of the South
rhughes@sewanee.edu

CO-CHAIRS, COMMITTEE F

(Membership and Dues)
Linda Hester Hasty, Motlow State
lhasty@mscc.cc.tn.us
Doyle E. Hasty, Motlow State
dhasty@mscc.cc.tn.us

CHAIR, COMMITTEE R

(Government Relations)
Vacant

CHAIR, COMMITTEE T

(College and Univ. Government)
William C. Schrader, Tennessee Tech
wcs9226@ntech.edu

CHAIR, COMMITTEE V

(Junior and Comm. Colleges)
Tammy Ruff, Nashville State Tech
ruff_t@nsti.tec.tn.us

CHAIR, COMMITTEE W

(Status of Women)
Norma Cook, UTK
ncook@utk.edu

CHAIR, CLAXTON AWARD COMMITTEE

David Lee, UTK
dlee@utk.edu

Registration for Fall Meeting

I will attend the fall meeting of the Tennessee Conference, AAUP, on Saturday, October 4, from 9:30 AM to 3:00 PM, in Room L-103 of the Library on the campus of Nashville State Technical Institute.

- My registration *and* luncheon reservation fee of \$15.00 (payable to Tennessee Conference, AAUP) is enclosed.
- My registration fee of \$10.00 (payable to Tennessee Conference, AAUP) is enclosed. (Does not include luncheon.)

Name: _____

Address: _____

City, State, Zip: _____

Phone: _____ E-mail: _____

Please return your registration form for receipt by September 20 to:

Gilbert Fernández, Secretary, AAUP
Box 5064
Tennessee Technological University
Cookeville, TN 38505

About the Chapter Service Program

The Tennessee Conference Chapter Service Program, with support from the Assembly of State Conferences, is designed to aid AAUP chapters in promoting a program on their campuses that will reflect the standards of professional development associated with the AAUP. The AAUP has developed the standards for academic practice long recognized by professors, governing bodies, and administrators in higher education. Each local chapter should have as one of its goals a commitment to see that these standards are adhered to on their campus. Please contact Conference officers or committee chairs for help and services in the following areas:

- Recruitment and retention of members
- Tenure and academic freedom
- Faculty governance
- Chapter leadership training
- Economic welfare of the professoriate
- Lobbying activities
- Conference WWW page
- Attorney referral list



141 N. Seneca Road
Oak Ridge, TN 37830-8409