

Killing Academic Freedom Softly

The muzzling of professors who do not enjoy the luxury of tenure

By David L. Kirp

NOT SINCE THE 1970 contretemps over Angela Davis, the onetime Black Panther fired by the California Regents, and maybe not since the days of Joe McCarthy, has academic freedom been so prominently in the news. Larry Summers, Ward Churchill—the media are drawn to these controversies like the children of Hamelin heeding the Pied Piper’s call. But almost no one is paying attention to a more pervasive assault on academic freedom: the muzzling (and consequent self-silencing) of those whose jobs hold no promise of tenure.

For the Rip Van Winkles who slept through the recent goings-on, here’s a quick recap. Last winter featured Harvard President Larry Summers’ ill-considered foray into gender and genetics. When the remarks were made public, there were calls from the Left for Summers’ head and a “no confidence” vote by the Harvard faculty. “Let the man speak,” the Right demanded.

Soon thereafter, Ward Churchill, a Native American professor at the University of Colorado, was lifted out of obscurity and into the hall of shame for having described the victims of the World Trade Center as “little Eichmanns.” Defenders of academic freedom bemoaned the fact that several colleges withdrew speaking invitations once these vituperative remarks came to light. Meanwhile conservative critics took time off from vigorously defending Summers to demand Churchill’s head; on Fox TV, Bill O’Reilly feasted on the hapless Native American for days on end. Then Lee Bollinger, president of Columbia, ventured a Solomonic resolution of a clash between pro-Israeli students and a Palestinian professor who had supposedly denigrated them. On Morningside Heights, both sides cried foul—and, of course, demanded Bollinger’s head.

These events prompted noisy debates over this vexed and vital matter: How should professors’ right to speak their minds be distinguished from professorial abusiveness, proselytizing and sheer quackery? “Tyranny of the enlightened” versus “the new McCarthyism”—from both sides of this ideological divide the insults flew.

There ought to be no debate about the proposition that college teachers can assign challenging readings, pose tough and controversial questions, set high standards and resist grade inflation. To tenured professors, these matters are as taken for granted as air. Yet in many institutions it’s risky business for anyone who is not on the tenure track to behave in this way.

The number of such instructors is substantial. In 2001, full-time non-tenure-track faculty accounted for a third of all full-time faculty, and those numbers are growing rapidly. Half of the newly minted Ph.D.s who go into full-time teaching hold jobs with no prospect of tenure—and this doesn’t count the

Ph.D.s who can only secure part-time teaching assignments. Many of these no-hopers, it appears, enjoy precious little academic freedom.

I say “appears” because there is no way to know how many instructors are in this parlous situation. Deans and department heads, schooled by campus lawyers in the litigious ways of the world, are rarely foolish enough to fire someone on the grounds that the instructor is too intellectually challenging—that would risk, if not a lawsuit, at least embarrassing publicity. Rather, as the British say, these teachers are made redundant, told that their courses will no longer be offered, or simply informed, with no reason given, that there’s no longer any need for their services.

Why might this happen? Perhaps a student with a heady sense of self-entitlement has complained about having been put upon in class; perhaps the instructor has gotten mixed reviews for being overly demanding; or perhaps a parent has complained that the topic of the day should be off limits for impressionable undergraduates. In an environment in which students are treated as customers and the customers know best, there are many reasons why an administrator might decide to show an adjunct the door. It’s easy enough to hand out pink slips, since these jobs come with no guarantees; and college teaching remains a buyers’ market, with unemployed Ph.D.s looking for piecework.

What’s more, fear of such treatment prompts instructors to censor themselves—to give inflated grades, make anodyne assignments, hand out reading lists composed of pabulum and keep those readings short. After all, why should a lecturer risk losing a teaching gig by saying something that might cause trouble? Speak truth to power is the mantra in academe, but these instructors are obliged to cower before power.

The American Association of University Professors, long-time guardians of academic freedom, can’t count these cases. And because of the long odds and fear of being blackballed, adjuncts rarely file lawsuits against a school that has issued a long goodbye. A few years back, a *Chronicle of Higher Education* article recounted a fistful of examples. There were tales of instructors who had lost their jobs after talking about pornography in an ethics class, using racist



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language in a communications class in order to make a point about offensive speech, or criticizing twelve-step programs as cultish.

All this was news to me. Ever since, I've been trying to guesstimate the seriousness of the problem by conducting my own, decidedly unscientific experiment. Whenever I lecture on a college campus, I find a way to raise the issue. From the audience there invariably come nods and murmurs of recognition, and after the talk a couple of those murmurers tell me their stories. The specifics vary but the themes are the same: the warnings from department chairs or kindly colleagues to be gentle interlocutors and charitable graders; above all not to wander into the dark forests of sex and politics, where the possibility of committing thought crimes is ever-present.

Whenever those tales are recounted, I recall the heresies I have uttered over the years—remarks that, if taken out of context, violate almost every cherished belief of both Right and Left. Those comments have all been in the service of getting students to think hard about complex questions of ethics and social justice: That's my vocation. Never once did I imagine the job might actually be at risk—but then again, I enjoy the luxury of tenure.

My unscientific experiment has another component. During these campus visits I tell the adjuncts' stories to tenured professors. They are "shocked, shocked," as Captain Renault famously says in "Casablanca." And then, invariably, they quickly change the subject.

Even professors who consider themselves champions of academic freedom—and that's almost all of us—seem to forget that while our freedom to speak our minds is important, it's equally essential that the freeway flyer who occupies a desk in the shared office down the hall be able to teach a challenging course. Ultimately we're all in the same boat, since the successful muzzling of any instructor, whatever his or her status, invites the institutional managers to adopt a cast of mind about contentious speech that potentially knows no limits.

Academic freedom is hardly the no-hopers' only problem. They are paid a pittance and receive no health benefits. They struggle along without job security, and so must keep hunting for new jobs as ceaselessly as birds hunt for food.

Peonage isn't the only way to treat these instructors. A number of universities—MIT and Duke among them—have recently established professors of practice, non-tenured multi-year contracts for talented teachers or practitioners who don't want the publish-or-perish life. Such arrangements give life to the rhetoric of an academic community.

As NYU President John Sexton told his trustees, "new forms of faculty ought to exist because they bring value to the academic enterprise." Such institutional respect and academic freedom go hand in hand: Professors of practice, with as much job security as almost anyone in the private sector, will likely feel freer to speak their minds. But such benign university behavior is still a rarity; and because it is relatively expensive,

the idea encounters resistance from the bean-counters.

Tenured professors are in a good position to speak out—to press university administrators to treat non-tenure-track faculty decently and to defend their classroom bravery. But these matters rarely receive attention from the professoriate, which by its behavior prefers the ignorance-is-bliss approach to the underside of academic life.

The chair of an economics department at a research university I visited recently put the point bluntly: "Anyone who isn't on the tenure track just isn't part of the real faculty." That's not exactly what the ideal of higher education as an intellectual commonweal calls to mind. On the contrary, it's reminiscent of the deal that senior pilots at United Airlines struck with their bosses. Continue treating us like kings, those veteran aviators said to the bankrupt company, and we won't obligate you to give new pilots the same perks.

The United pilots actually come off looking better than the academic old guard. They did insist on decent treatment for the newcomers, and that's more than can be said of the professors. ♦

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