

NOTE

1. Certainly, tenure is not necessary for individuals to report malfeasance. See Couzin (2006) for a discussion of a recent case in which several graduate students, at great personal cost, reported fraud committed by their supervisor.

Tenure is fine, but rank is sublime

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Abstract: Does tenure serve its original purpose of promoting freedom of inquiry for academics in teaching and research? It seems not. Of concern is the finding that achieving tenure does not translate into a significant increase in exercise of freedom of inquiry either in teaching or research. Why? Promotion evaluation for associate professors by their senior colleagues has a continued inhibiting effect.

The target article by Ceci et al. addresses an important issue facing higher education today. What are the consequences, good and bad, of the tenure system for faculty, the institutions they serve, and society in general? The authors review some of the concerns currently being expressed by critics of tenure in academe, and give several cogent examples of challenges to the system and academic freedom coming from both the political right and the political left. As example of the former, the right, are outcries for the firing of Ward Churchill, a tenured ethnic studies professor at the University of Colorado who called some victims of the 9/11 terrorist attacks “little Eichmanns” in an online essay; example of the latter, the left, are demands for job termination for several professors (Arthur Jensen, J. Philippe Rushton, Richard Herrnstein, and Charles Murray) who advocate a strong heritability component for human intelligence. At present a battle exists, with supporters and opponents of tenure trying to influence university policy committees (e.g., at the University of Colorado–Boulder), legislators, and members of the public.

Ceci et al. suggest that a neglected topic in this debate is the question whether tenure and academic freedom serve their original purpose of promoting freedom of inquiry for academics in teaching and research. The authors’ survey of 961 professors from 50 top-ranked colleges and universities looked at this issue with some interesting results. It would have been nice, however, to see a similar sample from smaller and lesser-ranked schools, of which there are a large number in the United States: Are the tenure and promotion criteria and practices comparable? If they are not (e.g., less demanding tenure and promotion evaluations or more collegiality among ranks), then these findings may be somewhat limited.

On the positive side, the full professors in the study showed no strong tendency of becoming, in their beliefs of their colleagues, a “post-tenure renegade professor,” that is, confrontational, demanding his or her way, and unwilling to compromise. If this is accurate, as studies of behavioral forecasting, personal biases, and social psychology show – people tend to predict the behavior of others quite well – then some criticism of tenure and promotion may be dampened by this finding. I will say, though, that in my 30 years as an academic, I have experienced on several occasions what could be called the Dr. Jekyll and Mr. Hyde effect: a quiet, respectful, nonconfrontational junior colleague transformed at tenure – but most often with promotion to full professor – into a self-centered, combative, nonconciliatory alpha beast, who often will scare the hell out of very junior or new faculty with the consequence of severely diminishing their willingness to assert their rights of academic freedom (e.g., teach or conduct research not approved by senior faculty or speak in favor of controversial positions).

Perhaps the most important finding in Ceci et al.’s study involves the very limited “freeing” effect tenure produces relative to promotion to full professor. This is clearly seen in the similarity between the responses of tenured associate professors and those of the non-tenured assistant professors on issues regarding reporting ethical misconduct and abandoning unpopular (to the senior professors) teaching and research activities. Ceci et al. characterize the assistant and associate professors’ timidity, compared to full professors’ attitudes, as an abrogation of the former’s academic freedom, and I would agree. One could sympathize with assistant professors facing both tenure and promotion evaluations (and a degree of unfamiliarity and inexperience regarding their academic roles), but what about the tenured associate professors? Why are many of them not as assertive as their full professor colleagues regarding activities relevant to academic freedom? The answer is that, as they say in the military, rank has privileges. No one in the military would consider it a good career move to criticize or oppose the wishes or feeling of those higher in rank tasked with his or her evaluation and promotion – it would be viewed as career suicide. Not to suggest that academe is a quasi-military hierarchy, but the social dynamics (academic freedom be damned) appear similar. The sad fact is that, as the authors recognize, it may take 10 to 20 years for a professor to reach full professorship, and their data suggest that during that critical period of professional development and accomplishments, full exercise of academic freedom is likely not to occur because of evaluation/promotion considerations.

The cost of this dampening effect is what concerns me most. What innovative, creative, groundbreaking, and yes, controversial research (e.g., stem cell) and classes are shelved by those academics facing the 10 to 20 years of review and evaluations leading to the Holy Grail of full professorship at their institution? Steve Ceci and I did a controversial 2-year study of the peer-review process in prestigious psychology journals (Peters & Ceci 1982) while we were still non-tenured assistant professors. Our study received much publicity (e.g., from *Behavioral and Brain Sciences* and from *Science*), and we received over 1,000 supportive letters from colleagues in the United States and Europe, but our senior, tenured colleagues were very critical of our work, with some characterizing it as “juvenilia” unworthy of serious study. A nasty tenure battle subsequently occurred for one of us, with the peer review study cited as being “unprofessional” and a reason for nontenure. Fortunately, more reasoned heads prevailed, but the point had been made: Academic freedom is not a given for junior faculty. Displease those senior colleagues evaluating you at great risk to your career. I would have thought then, 25 years ago, that the awarding of tenure would change one’s outlook regarding academic freedom and opportunity; but experience, and now the empirical findings of Ceci et al.’s work, have tempered that view considerably.

Tenure as a necessary but not sufficient requirement for academic freedom

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Abstract: Although the job security afforded by tenure is one important factor in deciding whether or how to exercise academic freedom, professors must weigh a number of other important career goals that constrain their choices. This multiplicity of goals, combined with concerns about career mobility, may help to explain the differences Ceci et al. observe between professors at different ranks.

Ceci et al. have found that faculty believe full professors would be more likely than assistant or associate professors to exercise academic freedom in potentially risky ways, whereas tenure is a relatively unimportant factor in deciding whether or how to act. To help explain why the boundary between associate and full professors may be more important in these cases than the boundary between tenured and untenured individuals, we emphasize that faculty members pursue multiple goals (e.g., achieving job security, increasing pay, attaining promotions and higher status, improving working conditions) and that tenure, although important, addresses only job security. Moreover, this security exists only at one's current institution. Even discounting the choice or need to relocate, professors who exercise the academic freedom provided by tenure may jeopardize other important career goals. By questioning whether tenure continues to serve its intended purpose, Ceci et al. have essentially argued that tenure is not sufficient to ensure academic freedom. We do not disagree with this assertion, but we propose modifying it: Tenure is a necessary but not sufficient condition for academic freedom.

Assuming that professors' behavior – in the aggregate, not in each instance – is strategic and rational, it can be used to understand faculty members' goals and motivations. It would be naive to assume that maintaining current employment status is the sole concern. Professors would exercise without fail the academic freedom provided by tenure only if they were indifferent to the consequences of their actions in every area but job security. Some instructive parallels exist between professors and another group of professionals granted life tenure: federal judges.

Political scientists have noted that federal judges, while enjoying life tenure, are not immune from external pressures and consider factors beyond law and conscience when rendering judgments. Their rulings hold consequences for the ability to advance to higher-status judicial posts, to run successfully for political office, to earn pay increases, and so forth; less tangible factors, such as prestige and recognition by peers, may also motivate judicial decision making (Baum 1994; Cohen 1991). Thus, life appointment to the bench does not prevent rational judges from considering how other individuals may respond to their decisions.

Likewise, rational faculty members – tenured or not – should consider how colleagues, administrators, students, and others might view their behavior. Like judges, professors are motivated by career ambitions. In academia, attaining the rank of full professor is not the only way to increase one's status. Some faculty members aspire to work at a more prestigious institution, whereas others seek positions of academic leadership or administration, including department chair, dean, provost, or president. Like the federal judiciary, academia is a small world. Even across disciplines or institutions, individual reputations are often well known or easily discovered. For example, a faculty member on a search committee might contact an old friend from graduate school who has worked closely with an applicant. For an academic determined to move up his or her self-defined career ladder, rational behavior is that which does not alienate one's colleagues. As technological advances facilitate the flow of information, managing one's professional reputation becomes more important. Accordingly, faculty might be expected to take fewer professional risks.

Professors also pursue other tangible goals, such as increased pay, sabbatical leaves, research grants, and larger office or lab space. Some of these can be attained through promotion or moving to a new institution. However, even within academic ranks at the same institution, subjective assessments of faculty performance influence salaries and professional perks. Professors desire the respect of their colleagues and a collegial working environment, and they may wish to be elected or appointed to leadership positions that include important committees. Attaining these goals requires being concerned with more than job security as well as carefully managing the impressions formed by others.

Colleagues may or may not react favorably to a professor who acts assertively to exercise and defend academic freedom. The disciplinary and institutional cultures shaping one's work environment, especially the value assigned to dissenting voices, no doubt vary considerably. Whenever a professional risk is taken by exercising academic freedom, tenure protects against the most severe sanction: dismissal. Nonetheless, other factors mitigate against the full exercise of academic freedom. Accordingly, tenure may be a necessary but not sufficient requirement for academic freedom.

Even if one accepts this conclusion, an important question remains: Why did Ceci et al.'s respondents believe that full professors would be more likely to exercise academic freedom than assistant or associate professors? We offer two speculations. First, exercising academic freedom may place both untenured assistant and tenured associate professors at greater risk than full professors of being deprived of limited resources or being given unpleasant work assignments. Within and between departmental units, full professors tend to wield more power than assistant or associate professors. Second, when making decisions regarding potentially aversive confrontations with colleagues, full professors may give less weight to career mobility than assistant or associate professors. Whereas tenure supports academic freedom at the institution that grants it, developing a reputation for being confrontational – whether reasonably or unreasonably – may constrain one's job prospects at other institutions. Even with a solid record of achievements and a good reputation, career mobility generally is poorest for full professors. Except when special knowledge, skills, or experience are required, most academic institutions are reluctant to hire at the full professor level when there is an abundant supply of professors who can be hired less expensively at the assistant or associate level. Thus, we are not surprised to observe negligible differences in the anticipated exercise of academic freedom between untenured assistant professors and tenured associate professors, as these individuals often have better career mobility than full professors. Ceci et al. may have focused too narrowly on professors' desires to achieve tenure and promotion at their current institutions as the primary factor in their deciding whether or how to respond to threats to academic freedom.

Testing tenure: Let the market decide

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Abstract: Tenure debates and disputes are often irresolvable because of the complex and multivariate nature of contractual relationships between faculty and administration, and the nuanced and varying beliefs about tenure held by the professoriate. The Ceci et al. study leads this commentator to suggest a simple solution – allow individual institutions to define the parameters of tenure according to their unique core values.

Pepperdine University is a private religious school affiliated with the Church of Christ. When I matriculated in 1974, Pepperdine was extremely conservative – politically, religiously, and socially. Politically, the administration had ties to the Republican Party – President Gerald Ford spoke there, as did the physicist Edward Teller on the validity of Mutual Assured Destruction as a Cold War strategy. Religiously, my professors were Christians, and twice-weekly chapel attendance was required, as was a set of religion courses. Socially, student activities were closely monitored, with dancing prohibited and opposite-sex dorm-room visits forbidden. However, as I was a born-again Christian riding the wave of an inchoate evangelical movement, this was exactly