

# 14th Annual Harold J. Plous Memorial Lecture

For the past fourteen years the Harold J. Plous Memorial Award has been given each June to a deserving Assistant Professor. The award was created in 1957 after the untimely death of Plous, an assistant professor of Economics.

The Plous Award was established to annually recognize a non-tenured faculty member for his contributions to the intellectual and social life of the university community.

Contributions may take many forms: for example, creative activity, writing, teaching, working with students, and public service. Junior faculty in the humanities, social and natural sciences are eligible for the award.

This year's winner is Robert A. Potter, assistant professor of English.

Among those who have received the award are: Thomas Schrock, political

science; R. J. Snow, political science; Felice Bonadio, history; David Gebhardt, art; William Purves, biology; Charles Hubbell, sociology; Robert Kelly, history; Edward Loomis, english; Stanley Glenn, drama and Carl Zytowski, music.

The Plous award committee cited Potter for authorship of the play "Where is Sicily?" (produced on campus in 1969), a study of the Isla Vista disturbances of 1970 for the Presidential Commission on Campus Unrest, his active service in party politics and as a board member of the Student Legal Defense Fund, and his creative teaching, both in his own field of drama and as director of the Innovative Project in English, a special English program for minority students.

## Tenure, or Seven Years to Life in an Institution

By ROBERT A. POTTER, ASST. PROF., ENGLISH

There are relatively few traditions on the Santa Barbara campus — no war memorial fountains or Class of '97 Gateways or such remnants of an Ivy-covered past — but we do have our annual rites of spring.

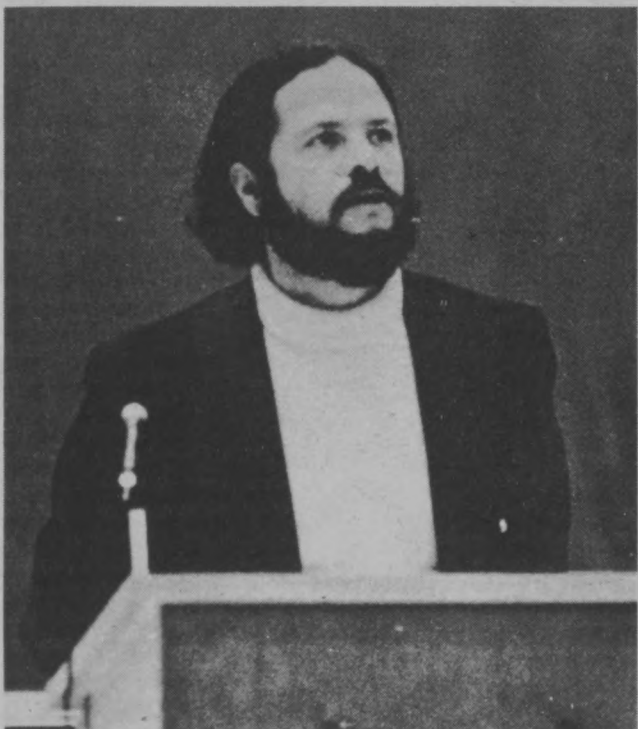
About the time the year's final civil disturbances have been put down, when the last straggling alleged student felons have been released from jail on bond, and shortly before the good surfing weather sets in to stay for the summer, there fall a couple of annual spring events: one is the annual Plous Lecture, given by a non-tenured faculty member on some aspect of his work or career at UCSB.

Those who established the Plous Memorial Award in 1957 did so, to honor an assistant professor of economics, one whose demonstrably brilliant and promising career on campus and in his profession was cut short by an untimely death. It was the intention of the founders of the award to honor one non-tenured faculty member yearly for his contribution to the intellectual life of the campus, and to ask him to give a lecture. This has been done for the past 14 years, and some of the distinguished recipients such as Professors Bonadio, Gebhardt, Glenn, Schrock, Kelley and Purves are here today. I'm deeply honored to be following them to this podium.

Concurrently with this annual event, another sort of traditional ceremonial process is going on. The Annual Faculty advancements and promotions are being decided upon and will soon be announced. In any given year, roughly half of the faculty may be up for evaluation.

For some it is merely a question of receiving or not receiving a small merit salary increase; for many, however, it is a question of progress toward or qualification for tenure — the academic equivalent of life or death, up or out, here or (with luck) somewhere else, yes or no. It is a somewhat primitive, but extremely sincere, kind of sporting event.

It seemed to me appropriate and timely, since the Plous Award was established in the name of and for a non-tenured faculty member, to consider on this occasion the question of tenure — that system and concept which in fact defines what a non-tenured faculty member is.



Tenure or security of employment is what a non-tenured faculty member does not have; it is what, professionally speaking, he is engaged in demonstrating that he deserves; it is the recognition which presumably, after a suitable period of probation (one to seven is the usual term) and demonstrable achievement (publication is the usual medium of exchange), he is to get, if he has functioned successfully as a non-tenured faculty member. The system is, of course, under heavy attack from outside the University, and the subject of much misunderstanding.

So early last fall, before my own case for tenure was under final review by the department of English, I decided that the subject of this Plous lecture would be the tenure system. I figured that an inside look at what the system was, and what it was not, might be worthwhile. It was pointed out to me there were problems, that I would have difficulty in remaining objective about an accolade which I was in the process of receiving myself (having received

The Universities were once perceived as an instrumentality of Salvation, in one secular sense or another — whether they embodied upward social mobility for the students admitted to it, or trained technocrats, scientists and engineers to assure the national survival, or an elite to nurture and define the culture, or collectively the intellectual embodiment of the idea of progress in the continuing Advancement of Knowledge far and wide.

an accelerated advancement the year before and then favorable appraisal for tenure.)

Fortunately the English Department solved the problem, with its customary flair for the dramatic. And while it was somewhat disconcerting to learn that I was being recommended for termination after six years of imagining that it would be otherwise, still it gave me a certain sense of perspective that would be useful in considering the subject of tenure more objectively. And so today, with my case still under review, I come before you with reasonably clean and still untenured hands, not to buy tenure but to praise it. In some respects.

We are living in a time of the "breaking of nations" as Hardy put it. And we are experiencing an internal breaking up of institutions — more specifically a breaking down of belief, respect, public confidence in the old institutions, the church and the military, the family and the puritan ethic, the professions of medicine and law, business and labor, government and even — perhaps especially, education.

Every poll, every study indicates that the public is losing confidence in its institutions — and particularly in its institutions of higher learning. The Universities were once perceived as an instrumentality of Salvation, in one secular sense or another — whether they embodied upward social mobility for the students admitted to it, or trained technocrats, scientists and engineers to assure the national survival, or an elite to nurture and define the culture, or collectively the intellectual embodiment of the idea of progress in the continuing Advancement of Knowledge far and wide. Now, as all of these goals have come into question, so logically has the institution which embodies them.

So it is inevitable that the tenure system, through which University faculty hold their positions, has come under scrutiny — at a time when nothing is perceptibly very sacred. If students are questionable by definition, if the worth and permanence of Universities themselves are in doubt, if convictions are lacking in their ability to solve any of the momentous problems of our civilization, it is small wonder that uncertainties arise over an arrangement seemingly designed to provide permanent security for a privileged class of professional students.

The attacks on tenure, which are beginning to come from many directions, indicate something of the depth of the University's problems; the attacks are equally interesting in what they tell us about the present state of confidence in our institutions, and what likelihood there is for their survival.

The first, and most vocal attack on tenure comes from above, and beyond, the campus. From the vantage point of the Governor's office or the state capitol, or the board room of corporate power, the tenure system is perceived as a simple explanation for much that is wrong with the University. On the one hand it seems to shelter incompetents on the faculty from the rigors of the marketplace and the facts of life in the real world — thus encouraging sloth and muddle-headed impracticality. On

We, the undersigned, believe the issues raised in the Plous Memorial Lecture, delivered by Robert Potter, to be of sufficient importance to be published in their entirety in today's NEXUS.

|                  |                        |
|------------------|------------------------|
| Stanley Anderson | Political Science      |
| Stanley Glenn    | Dramatic Art           |
| Otis Graham      | History                |
| Landon Young     | Music                  |
| Robert Backus    | German & Russian       |
| Bernard Kirtman  | Chemistry              |
| William Purves   | Biological Sciences    |
| Michael Gordon   | Political Science      |
| Robert Webb      | Geological Sciences    |
| Donald Cressey   | Sociology              |
| Robert Crouch    | Economics              |
| Lawrence Wilison | English                |
| Robert Haller    | Biological Sciences    |
| Walter Capps     | Religious Studies      |
| Robert Kelley    | History                |
| William Frost    | English                |
| Elijah Lovejoy   | Psychology             |
| Roger Davidson   | Political Science      |
| David Outcalt    | Mathematics            |
| Frank Frost      | History                |
| Gordon Baker     | Political Science      |
| Dean Mann        | Political Science      |
| Robert Weintraub | Economics              |
| Edmond Masson    | French & Italian       |
| Edgar Bowers     | English                |
| Phillip Walker   | French & Italian       |
| Carroll Pursell  | History                |
| Chauncy Goodrich | German & Russian       |
| Donald Johnson   | German & Russian       |
| John Hambor      | Economics              |
| F.A. Bonadio     | History                |
| Thomas Schrock   | Political Science      |
| Homer Swander    | English                |
| Augustine Gray   | Electrical Engineering |
| Elmer Noble      | Biological Science     |

# Tenure, or Seven Years

the other hand, it seems to issue a license for treasonous conspiracy and inflammatory rabble-rousing in the name of academic freedom — thus encouraging radicalism and the involvement of the University in politics, or in Governor Reagan's words, using the campus as a "privileged sanctuary" from which to launch assaults on our society and its established institutions. In an increasingly polarized political environment, these attitudes have become widely accepted, even among those familiar with how a University works.

A 1971 survey of Stanford alumni (seemingly a good cross section of the establishment in California) requested responses to this statement: "Academic freedom may be a good thing, but it has become an excuse for unjustifiable behavior by some faculty members." Sixty-seven per cent agreed with the statement; only 27 per cent disagreed. On the statement "Faculty tenure is an indispensable element in the protection of academic freedom," alumni were evenly split — 43 per cent agreed, 41 per cent were opposed and 16 per cent undecided. Further questioning revealed that the opposition to tenure varied directly with the degree of one's political conservatism.

While tenure was being attacked on these political grounds by the politicians, Administration and budget analysts began to raise a completely different set of



economic objections. Faculty salaries account for 60 to 80 per cent of the cost of running a University, and the salaries of tenured professors constitute an enormous fixed cost, which increases alarmingly with every tenured appointment. The Wall Street Journal ran an article last April underlining the cost-benefit implications of this problem, and Chancellor Glenn Dumke of the California State Colleges estimated that "By giving tenure, the college commits the state to future salary payments totalling from one-third to one-half million dollars during the recipient's professional lifetime.

Tenure is a one-sided relationship. It can be severed at will by the recipient, but otherwise is ordinarily a lifetime appointment." This lugubrious statement, as you might expect, was issued in connection with a decision NOT to award tenure. Dumke's law of tenure, cited in conclusion, was as follows: "When in doubt, don't give tenure." The doubts in this particular case were in the fact that the candidate for tenure, an engineering professor at San Jose State named Kurzweil, turned out to be the husband of Bettina Aptheker, the Berkeley young Communist leader.

Chancellor Dumke's doubts have since been resolved for him by a federal district judge, who ordered that Kurzweil be reinstated and given tenure, there being no academically justifiable reason for denying tenure that the judge could discern in the case. Nevertheless it is obvious that we will be hearing more, in these times of budgetary stricture, about the economic implications of tenure — particularly from Administrations caught in the squeeze between budget reductions and what has been called the "human dimensions" of the problem.

These attacks on tenure from ABOVE, have been coordinated, according to some diabolical plan or set of coincidences, with a corresponding attack from BELOW, launched by irreverent and iconoclastic students, who have refused to look on tenure with favor simply because Ronald Reagan has consistently attacked it. These students perceive tenure not as a drain on the public treasury or a breeding ground for radicalism, but rather as a bastion of privilege and autocratic power.

Without being quite certain how the privilege of tenure is acquired, these students nevertheless perceive, sometimes on the evidence of their own senses, that it is not always fully deserved. To the question as to why poor Professor X is permitted to teach such and such a course, the answer "he has tenure" is not a deeply satisfying explanation. Nor does it clarify a student's questions about why a particular and perhaps archaic requirement is

being retained if it is explained that the "tenured faculty" have so determined. To the extent that a student has been successfully educated to think critically, he will resist arguments of this kind rather strenuously and splendidly.

In fact, students, being inherently non-tenured and in our own times particularly aware of the instability of all institutions (including the institution of human life on this planet), have difficulty in conceiving why anyone has the right to spend the rest of his life on a college faculty — and tend to suspect the mental stability of anyone who has been given the right to do so.

So the abolition of tenure, which is being seriously proposed in many institutions, and actually implemented in some localities, would not be interpreted by most students (I would suspect) as an attack on student interests; indeed, under the right circumstances, it might be viewed as a brave and historically inevitable revolutionary act against the power structure.

Forgive the unfortunate faculty member, under such circumstances and so amply provided with misconceiving enemies, if he clings to the assumptions of tenure, or the hope of it, with a certain wild desperation. Anything a teacher might have which is denounced by politicians, feared by administrators, and suspected by students must seem to be worth hanging onto. At least in principle.

Where did this idea of tenure come from? From the name we might imagine that it is an ancient medieval custom of some kind, but in fact it dates, in American terms, from the late 19th and early 20th century, when the old puritan sectarian colleges — with their hostility to modern ideas — were beginning to give way to secular private and land grant Universities. What the leaders in the new generation of American professors wanted — indeed demanded — was freedom of inquiry. They took as their model the great German Universities of that era, where professors were powerful, free to teach, and virtually unremovable (and where, incidentally, students were free to do or study pretty much as they pleased).

From this model, the American professors borrowed selectively. They took the idea of *lehrfreiheit* (free teaching and inquiry), translated it into English as "academic freedom," and presented it to the college presidents and trustees in 1915 as a set of non-negotiable demands — the major one being Lifetime Tenure for Professors.

It is very important to know just who "they" were, these rebel professors. The call for a conference in 1914 to form a national organization was issued by 18 full professors at Johns Hopkins. Those who responded were men like John Dewey of Columbia, Capps from Princeton, Lovejoy from Johns Hopkins, Roscoe Pound from Harvard. The organization which emerged from the convention was the American Association of University Professors, and it was in its inception an elite organization with membership limited to full professors of recognized scholarship standing with at least 10 years seniority in a teaching or research position.

The college presidents and trustees resisted vigorously at first, but by 1922 the battle was over. Academic freedom and tenure were established as rights due to those who had demonstrated their professional eminence. But there was something lacking in this agreement — it said nothing of the rights of those still in the process of demonstrating their eminence. Thus the great victory of academic freedom and tenure created, perhaps quite inadvertently, a dual caste system in the profession: security and freedom for those with tenure; total vulnerability for those on probation.

Though the AAUP took steps later to broaden its membership, and has even in recent years given some official attention to the status of non-tenured faculty, the basic assumptions of the tenure system have remained those of the American academic elite of the early decades of this century, borrowed from the authoritarian German model.

It is significant that academic freedom for students was not part of the AAUP's concern, as its 1915 statement freely admits: "the term 'academic freedom' has traditionally had two applications — to the freedom of the teacher and to that of the student... It need scarcely be pointed out that the freedom which is the subject of this report is that of the teacher." And later commentators such as Richard Hofstadter have noted how vulnerable the vaunted old German Universities proved to be, under the social and political stresses of the 20th century, culminating in their disgraceful and almost effortless capitulation to anti-semitism, red-baiting, and pseudo-scientific fascist eugenics in the era of Hitler. The lesson of this history is clear: tenure and academic freedom for a class of academicians, however distinguished, offer no guarantee that freedom will be preserved in the University — a lesson which American professors tenured and non-tenured alike should have learned in the McCarthy era, when they were presented with "loyalty oaths" and discharged (academic freedom or no academic freedom) if they would not sign.

The contemporary attacks on tenure from above and below share a common assumption — that tenure is a possession or commodity. That indeed is one of its problems — that it is a term of property, defining a professor's job as a piece of real estate to which one can

gain title, and the right of which can and has been said against and in itself.

But not enough has been said — as a process which the professor undergoes — as an experienced assistant professor. Every year an assistant professor turns up for the first time, they used to be introduced, by the Academic Senate — like a new inmate — and made to stand and address the young blood, the new inmates.

The first thing that you, as an assistant professor, is that he or she. Don't let any shy mannerisms or movements deceive you — they are discouraged (and if she's a woman, true). After the usual 12 year probation school, he went on to college. It's likely that he did well there. He got A's; there's a Kappa. So it goes.

Some sadistic professor encourages him to go to graduate school, to get the letters of recommendation for a graduate fellowship. In the meantime, he's in the service and probably got a promotion because his wife finds a second job for him through. He takes a seminar and seminars, competing with high qualifications, and mair exams for the M.A. with high marks, admitted to the Ph.D. program.

He competes for a teaching position against many worthy competitors. He's a freshman sections of the basic courses, a low salary, meanwhile continuing to prepare for his doctoral examination, written or both, testing in a field under excruciating conditions. English, the scene in the record "Straight" is considered a demerit, miraculously passes (somehow around) and becomes a doctor. He has kids in kindergarten, and a family that has survived (or not) under such circumstances. He plunges into his dissertation topic, working in a field under excruciating conditions. English, the scene in the record "Straight" is considered a demerit, miraculously passes (somehow around) and becomes a doctor.

On some faraway campus, he is known and respected, his letters are hundreds received from students, he is summoned to an interview under high-pressure circumstances, his field in the three days after the job is in New York or Philadelphia. The slave-market unreality or a second job, and the chairman, who promises to let him become available. Hoping for a good grade on the dissertation, knowing that the number of candidates far exceeds the demand.

After many weeks he is offered a job. The chairman has a job to offer him, it over with his wife, weighs in, has already, or may yet get the chairman back and accepts.

In fact, the system is and in fact is an instability in the institution, a difficulty to spend the rest of one's life and tenure on anything anyone would

finishes the damn dissertation, criticized by a team of reviewers, grudgingly amended, and accepted. He is awarded a doctorate, enters the new campus some distant graduate school, in various disciplines and individuals. He becomes an assistant professor.

Now clearly anyone who has been out of his mind for a while, he is about to undergo a first year, amid the euphoria and error of running his department, and if you remind him that he's not to get published, and that he's not to give you an insanely

# to Life in an Institution

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about tenure as a means probationary faculty member something that happens to the fall, a new covey of campus. In the old days ment by department, in new acquisitions at a zoo e as their names and unced. They are fresh new, and handpicked,

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assistantship and wins, rs, the right to teach ource at an unutterably g his coursework and These climactic exams — knowledge of the entire nal circumstances (in ot Gould film "Getting ve account) — and he even the first time candidate. By this time le debts, and a marriage ved) these extenuating research on a doctoral irectly with a senior He meanwhile initiates ng job, sending literally departments in his field. re his graduate school is icked from among the candidates, and he is under nerve-racking e National Meetings in ristmas in Chicago, New erview takes place in r hotel room, but it goes ll be seeing dozens of n know if a position best he returns to work the supply of qualified for any given job.

a call. Fantastic! The will he take it? He talks ainst any other offers he t not get. He calls the job. He forges on and

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understanding, as if to say "so what else is new?"

The difficulty, of course, is that he expects to succeed — and well he might, since he has to date always succeeded—or he wouldn't be there. It's not that he feels incapable of failure, but that he imagines it would have happened long ago, if it were really going to happen. For the moment all he knows is that he has arrived, he has been admitted to the institution, he is on his way to being permanently committed, and that will be, hopefully, the end of it.

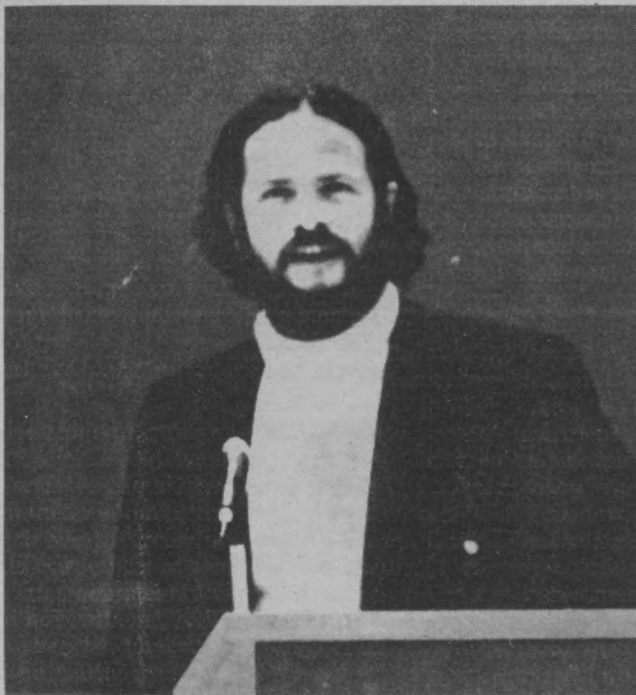
It is to such arrogant, quick-minded, happy, earnest, fundamentally optimistic, talented, fresh-minded, experienced yet thoroughly unsuspecting 30-year-old assistant professors with wives, two children, and three degrees that the process of tenure happens. How they are treated by it depends partly upon the institution in which they find themselves (or in some cases lose themselves), but mainly on the ward or cellblock (or department) of the institution to which they are assigned.

In an institution like UCSB there are many relatively benign wards — indeed most, perhaps — where the disease and mortality rate is fairly low, where the tenure process is carried out with humanity and professional skill — where indeed the recovery rate is quite high (as it should be, of course, if the graduate school and hiring procedure has been any good).

Thus the great victory of Academic Freedom and Tenure created, perhaps quite inadvertently, a dual caste system in the profession: security and freedom for those with tenure; total vulnerability for those on probation.

The system is supposed to work this way: every two years our assistant professor is evaluated by his colleagues. Evidence of his research is read, student teaching reports and faculty class visits are detailed, service on committees is considered, and a recommendation of his advancement is made. After two or three such evaluations, if his qualifications are well established, he is recommended for a permanent position. In theory it is a perfectly plausible system — a set of precautions in case a young professor does not fulfill his original promise, and a series of incentives for him to do the best professional work of which he is capable. It sounds fine, and in his early years the assistant professor may not typically find it an unreasonable system.

But in the best of departments, strains soon begin to appear. The assistant professor at the University of California soon learns that of the four criteria by which he is supposedly judged, only one — RESEARCH — is of decisive importance. He must indeed not merely do research, but write it up, not merely write it up but get it published in a scholarly journal or by a University Press — and if he does not do this, he will in fact "perish" — as the mock-heroic metaphor has it. "Perish" is a polite term



for "fail," "be rejected," "lose his job." To find out that this is a real possibility is an experience, every assistant professor learns in his own way (if an article is rejected by a journal, for instance), and learns to live with. So it goes.

At the same time, he is learning to be a teacher, and probably taking more pains and pride in teaching than is professionally wise. Good teaching is rewarded only secondarily — by itself it is insufficient for survival, though its presence may possibly be helpful and its absence harmful in marginal cases. An assistant professor learns this and he learns to discount somewhat the periodic public announcements by University executives that teaching is of high and growing importance.

Yet — at the same time, unless he is completely insensitive, he recognizes that caring about teaching is

mandatory — part of the contract between himself and his students — part of what he is there to do, if not what one is specifically rewarded for doing. As he becomes a more effective teacher, his involvement with students may increase; From the standpoint of his career, this is a danger rather than a benefit.

As to work on committees, and in the Academic Senate, with student groups or in the community — he does it or does not do it, according to temperament. He will not suspect, despite the fact that such work is listed in the criteria and perhaps urged upon him by his department, that he will get very much credit for it.

Thus in the best of circumstances an assistant professor is likely to encounter some disparity between his own emerging sense of values about his job, and the reward structure — which monolithically defines him as a probationary researcher with teaching duties. This disparity may be heightened by any conclusions he may come to about the focus, overproduction or overspecification of research. It affects an assistant professor's thinking somewhat if he hears that it has been established that the average scholarly article in history, for example, is read by a total of six people.

Or it may give him pause to learn that there is a two-year backlog of accepted articles in the major English Studies journal, with a year's moratorium in effect before further articles will even be considered. Or if his research begins to move into an area of applied or interdisciplinary work (such as environmental studies) he may find that the narrow traditional boundaries of his field are guarded by senior professors with stern looks and hatchets. If he changes his area of specialization, through growth and maturation, he may be accused of disqualifying himself for the position set down for him in the department's academic plan. In coping with these historical and personal circumstances, the assistant professor must consider his choices, in the rather inflexible context of the tenure process. So it goes.

One of the earliest lessons the assistant professor learns about the tenure system is that it takes place in official secrecy. He is not a party to any of the discussion on his case, and cannot respond to any charges made against him or his work. He must accept whatever small version is given him of events by the chairman, and hope for the best. It need hardly be said how important, in such circumstances, it is for him to be able to trust in the professionalism and fairness of his colleagues — and how difficult the process becomes if there is cause to doubt that such trust is justified. Here again, he learns to live with uncertainties — either in ultimate confidence or in ulcerous cynicism, depending on the circumstances.

I believe that enough has already been said of the actual operation of the tenure system to indicate the suspicion that it may not function very efficiently, either in furthering the advancement of knowledge or in motivating the personal development of individual assistant professors. Indeed it seems to tend, in the early and fruitful years of an assistant professor's career, to impose barriers and create dilemmas for all but the most singlemindedly careerist of young professors. The effect too often is to penalize conscientious or imaginative involvement with students, University and community activities.

It is ironic indeed that such activities are the basis upon which the Plous Award (the only campus award designed specifically for assistant professors) is annually made. Perhaps that, in fact, is the reason for such an award — the functional absence of such considerations from the reward structure of the tenure system — at least as presently defined in this University. It is a not sufficiently well-known local fact that — over the past six years at least — the winners of this award have experienced difficulties with the tenure system. One previous winner was eventually terminated for failing to publish.

At least one other experienced great difficulties before receiving tenure, and two more have yet to receive it. The runner-up for this year's award was given official notice of termination the same month that the award was announced. Something is wrong here. If the activities which these assistant professors have undertaken actually harmed their chances for tenure, then either there is something the matter with the activities, or there is something counterproductive about the tenure system — in which case it is not working in the best interests of education and the community, even when administered fairly by humane professionals of unquestioned stature.

I turn now to another and even more serious difficulty of the tenure system — its susceptibility to abuse in circumstances when it is NOT administered fairly, humanely and professionally. To substantiate this, I need do no more than to cite the record of the UCSB English Department. Here are the unvarnished facts:

For the past 10 years the English Department has apparently followed a conscious policy, implemented with contempt for the rest of the UCSB campus, of denying tenure to most of its assistant professors. Resisting the growth of UCSB to major University status, a group of tenured professors have sought to confine tenure, and the departmental power that goes with it, to a small, carefully restricted, elite group while the department expanded in

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size, staffed by an army of temporary assistant professors. This policy, notorious from one end of the campus to another, and indeed from one end of the country to another, has been highly successful from the standpoint of centralizing power.

In this 10 year period, encompassing the greatest span of growth in the UCSB campus, when the campus enrollment and the size of the department have more than doubled, the size of the tenured staff in the English Department has remained almost constant: 16 in 1963; 19 today. In the same period the number of assistant professors has more than doubled — from 12 in 1963 to 29 today. And the turnover has been astonishing: in the eight year period 1964-1971 a grand total of 59 assistant professors of English have been employed; of these four have been promoted to tenure, 30 have resigned or been terminated, three are on terminal appointment, and 22 are still assistant professors. The "floating bottom" policy has been implemented, and the UCSB Department of English is today the largest academic department on the campus, and the most ruthlessly centralized. It has by far the lowest tenure ratio of any English Department in the entire UC system.

What have the costs been to UCSB (leaving aside for a moment the personal costs to those who have been caught in the machinery?) Forget the expense and inefficiency and waste and duplication. I think of the dozens of brilliant young colleagues whom I've known in the past seven years, and who are no longer here — lost, strayed or stolen. People like Bruce Rosenberg, now at Penn State, author of a remarkable book on the art of the American Folk Preacher, which won last year's National MLA Lowell Prize as the best book published in the field of English. Rosenberg was fired by the UCSB English Department in 1966. Or take Bill Holtz, now at Missouri, author of a new study of Laurence Sterne, nominated for national awards. Holtz was fired by the UCSB English Department in 1970. Or there is Don Freeman, now full professor of Linguistics at the University of Massachusetts and associate dean of humanities.

Freeman resigned from the UCSB English Department in 1967. Or any number of women professors — greatly in demand now — who came and suffered rejection and left — Ann Wilkinson, Martha Banta, Anne Mendelson, Jane Williamson, Suzanne Ferguson, Mary Slaughter. All were fired, or resigned from the UCSB English Department. And you might remember N. Scott Momaday, who won the Pulitzer Prize for fiction in 1968 — he also had trouble getting tenure here, and soon after he got it resigned from the UCSB English Department. "When will it end?" as the Santa Barbara News Press used to say.

When I came to UCSB in 1965 I was one of 11 new assistant professors of English, brought here from graduate schools all over the country — two from Harvard, one from Yale, others from Wisconsin, Berkeley, Connecticut, Oregon, Northwestern, Washington, Claremont, Ohio State. Well, eight of the original 11, including Rosenberg and Freeman, are gone now — resigned from or fired by the English Department at UCSB. There are three left. Two of us have been recommended for termination this year and one has tenure. He is — you guessed it — the current department chairman.

In the Department of English all of this bloodletting, all the foolish waste and needless injury has been done in the

Because of the attacks which are now coming from all sides, I believe that a day of reckoning is at hand for the tenure system. Ultimately, if the Assistant Professors — those who are being judged by it — lose confidence in the system it cannot long survive.

name of the tenure system, and by means of the power which it vests in tenured professors.

It is claimed that the department is highly selective. But what criteria, what set of standards has been invoked in the English Department to judge the quick from the dead? Certainly it has not been research — some of the most able and assiduous researchers have been sent packing, to the point where the system could be accurately described as "publish AND perish." Two more assistant professors have been given negative appraisal for tenure just this year: one has a book recently published by the Yale University Press; the other has just had his book accepted for publication by the University of California Press. So it goes.

No, a system invented to safeguard academic freedom is being used here on this campus to suppress that freedom. The criteria are personal, the standard is compatibility, the watchword is silence and the style conformity, the prescription is "Don't rock the boat." I watched it go on that way for five years, then attempted to seek reform — first by democratic procedures in the department, later in petitioning the Administration to seek reconsideration of some particularly blatant terminations of assistant professors. Respectfully but firmly we challenged the

judgments of some powerful senior professors — and the great majority of the department, and practically all the non-tenured staff stood with us. In 1970, quietly, out of the glare and through channels, while the Allen convulsions were taking place, we collected the signatures of 39 faculty members of the English Department, and we brought them to the Administration, seeking a reconsideration of four cases. And though we won those reconsiderations, temporarily, some people never forgot the challenge that this seemed to represent.

This is apparently why, after five consecutive favorable evaluations of my work, despite the fact that I had been

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favorably appraised for tenure, the department decided this year not to recommend me for tenure. This is how it has been determined that I "would be happier elsewhere." Notwithstanding these thoughtful dispositions on my behalf, I believe that the time when such abuses would be permitted is in fact coming to an end. Because of the attacks which are now coming from all sides, I believe that a day of reckoning is at hand for the tenure system. Ultimately, if the assistant professors — those who are being judged by it — lose confidence in the system, it cannot long survive. And I also detect some signs that abuses of the kind I have described will no longer be tolerated.

The continued existence of scandalous academic *abbatoires* such as the UCSB Department of English can hardly be in the best interests of those who support the current system of tenure. If there are departments which consistently violate the spirit of fairness and objectivity, then they reflect discredit on the entire procedure. These considerations would seem to have been in the mind of the Academic Senate Committee on the Status of Assistant Professors, which concluded in its recent interim report:

"We have not yet undertaken a systematic inquiry into departmental practices, but the evidence we have strongly indicates the existence of departments with patterns of bias and arbitrariness — patterns that have prevailed for a considerable period of time."

Such a systematic inquiry would definitely bear abuses of tenure — administrators who effect budgetary cutbacks of staff or the purging of young faculty radicals under the guise of enforcing high standards of tenure qualification bring the integrity of tenure into further disrepute and make a mockery of a system originally designed to protect academic freedom. And I would say that those who abuse the power of tenure are in the end the greatest enemies of the tenure system — because they are deep in the process of discrediting it.

Tenure is literally on trial now — the federal courts are becoming interested in the cases of men like the previously mentioned Professor Kurzweil, and others, who have been the victims of arbitrary or prejudicial treatment by the tenure system. Two landmark cases — Sindermann vs. Perry and Roth vs. Wisconsin State Colleges — are currently before the U.S. Supreme Court. In both cases the plaintiffs, non-tenured faculty members, allege that their contracts were not renewed because of positions they had taken publicly on certain issues. In both cases the appellate courts have ruled in the plaintiffs favor, indicating that non-tenured professors DO have a right to due process, and cannot be arbitrarily dismissed. As in so many areas of institutional archaisms and decay, the courts are apparently moving to rectify some of the injustices of the tenure system. And moving quickly.

Perhaps it is not too late for the University to salvage from the tenure system those features which may be truly beneficial in it, and which tend to promote quality, accomplishment, and distinction in a University faculty. It would seem that the two cardinal principles of the tenure system are:

1. the provision of a reasonable period of probation for junior faculty, and
2. the protection of Academic Freedom against arbitrary firing of professors.

These important principles can, and I for one believe should, be preserved in the new system which incorporates and supersedes tenure — a system of Academic Due Process.

This new system, while retaining a period of probation, would abolish the present dual class system for full-time faculty. It would extend full rights of due process to all professors. It would seek extension of elementary rights of due process to part-time and temporary faculty as well, including teaching assistants — while preserving the distinction between ranks on the basis of qualifications, salary, privileges and seniority. It would, in short, be a system of equality before the law that would not abolish the University's traditional forms of organization.

In such a system, criteria for judging advancement and

promotion cases would be tough, accurate and specific, yet flexible enough to allow talented professors of many kinds to advance professionally through an articulated reward structure. It would encourage diversity; it would reward teaching; it would motivate a better relationship between the faculty of the University and the people at large who pay the bill for its existence. It would be a fit set of procedures for a University dedicated to the public interest.

In any system of due process there can be no atmosphere of pervasive secrecy in connection with personnel decisions. In de-mystifying the procedures, confidentiality of courses could be protected, while at the same time opening the process to full scrutiny and providing for appeal hearings and grievance procedures in case any faculty member feels unjustly dealt with.

Due process is an essential tenet of the Anglo-American political tradition, and it means simply that those who exercise power shall not deprive a person of his life, liberty or property (in this case his job) without due process of law — a notice of its intentions and a hearing on the charges. "I thus before the state may revoke a professional license, the license must be informed of the charges against him, and be given an opportunity to be heard."

Finally and most crucially, in such a system the procedures and standards for evaluation would be fairly and uniformly enforced. Departments or agencies that violated institutional policies — as for example by

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disregarding criteria for promotion or attempting to maintain a "floating bottom" of probationary faculty (which is a contradiction in terms) would be dealt with severely, by means of financial sanctions and the withholding of a new faculty provisions. These are the most crucial features of a system of academic due process. Whatever system emerges must be above suspicion in its fairness and objectivity.

Now all of this will not be done in the first hundred days. There is every likelihood, given the nature of academic structures and the individualists who inhabit them, that this will in fact take some extended period to accomplish. But the times and the human pressures and the thrust of court decisions are leading us in the direction of academic due process. And there is much in our present system, despite its often archaic appearances, which supports such conclusions and directions. Therefore let us begin:

- Let the tenured faculty, who have power, share it more effectively and officially with their non-tenured brothers (as they have already in many departments) — let both share what they have with their part-time faculty, and all share with interested students in the interests of a better University on a democratic and meritocratic basis.
- Let teaching, which our own Committee on Academic Personnel has called "roughly of equal importance" with research, be given the high respect which it deserves in personnel evaluations. This is a faculty problem, and it needs a faculty solution.
- Let excessive secrecy in personnel matters be eliminated, in line with recent proposals formulated by the Senate Committee on Governance.
- And finally let there be a full and prompt investigation by the Senate Committee on the Status of Assistant Professors, of those departments whose personnel procedures and records and actions give evidence of being at variance with the rest of the institution's. There would not seem to be very many of these, and if the committee were in need of a place to start their investigation I think some of us might be able to suggest one.

The real question is not tenure or non-tenure, but what sort of institution we are going to have. There is small advantage in obtaining tenure in order to live your life under a cloud of unknowing, repression and conformity. That would not be tenure at all, but rather life imprisonment.

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