

# Tenures provide needed academic freedom

By MILTON M. KLEIN  
and  
HOWARD R. POLLIO

American Association of University Professors  
UTK Chapter

Several articles in the Beacon on the subject of tenure reflect serious misunderstandings on the part of students and even some faculty as to the meaning of this issue. Because it considers the matter to be at the very heart of the educational process in the university, the American Association of University Professors, UTK Chapter, considers it essential that its position be made known.

The AAUP has long held that there is an intimate connection between tenure and academic freedom. The policy of protecting teachers from arbitrary dismissal by those who disagree with them has a long history. In the earliest European universities, scholars were granted special protection by emperors and kings so that they could carry on their work secure from the assaults of brigands and mobs. Unsure even of the protection afforded by such guarantees, scholars united as collegiate communities and received charters of incorporation which made them safe from the arbitrary jurisdiction of outside agencies. In the United States, colleges and universities developed differently,

with lay boards of control and boards of trustees. Too often, such boards were willing to remove teachers who were unpopular to the trustees themselves or to benefactors of the university. In 1900, a prominent economist, Edward A. Ross, was forced from his post at Stanford University because he challenged the prevailing orthodoxy of "laissez faire" economics.

Responding to such dangers, a group of university teachers organized the American Association of University Professors in 1915. The AAUP contended that the best judge of the academic competence of a professor was the scholarly community itself; it demanded for the academic profession immunity from institutional sanctions in matters of expression and belief — "academic freedom;" and it proposed that teachers be allowed, after a probationary period, to hold their positions continuously until they were proved unable to fulfill their scholarly responsibilities — "tenure." By 1940, these principles were expressed in a statement subscribed to subsequently by over 100 professional organizations, representing most of the scholarly disciplines. The statement is based on the premise that the common good of the university depends on "the free search for truth and its free expression" and that

tenure is the most reliable guarantor of that freedom.

Tenure was not meant to guarantee lifetime employment but only that no faculty member who had already demonstrated professional competence, after a probationary period, should be dismissed without adequate cause, and that the determination of such cause be made by a system of "academic due process." Tenure is designed to provide the freedom which Justice Felix Frankfurter once described as the "atmosphere which is most conducive to speculation, experimentation, and creation." It is intended to make possible the freedom by which the scholar and teacher can benefit society "through the innovation and dissemination of perspectives and discoveries... without fear that he must accommodate his honest perspectives to conventional wisdom. The point is as old as Galileo and, indeed, as new as Arthur Jensen." The latter words are those of William Van Alstyne, professor of law at Duke University, and a former national president of AAUP.

Tenure affords professors the same independence in their research and teaching that "good behavior" appointments afford the judges in our courts. What kind of justice can be expected of judges who sit at the pleasure of those who appoint them?

What kind of education can students expect from professors who are subject to the vagaries of what outside agencies consider "fashionable" or "useful?"

At least one faculty member has expressed the opinion in the Beacon that professors can rely on the courts to protect them from capricious and arbitrary dismissals by administrators or legislators. But if the courts do so, it is precisely because they rely on the "academic common law" which has developed over the last forty years based on the AAUP's 1940 Statement of Principles on Academic Freedom and Tenure. The words of that statement are simple and clear: "Institutions of higher education are conducted for the common good and not to further the interest of either the individual teacher or the institution as a whole. The common good depends upon the free search for truth and its free expression. Academic freedom is essential to these purposes."

Those advocating the abolition of tenure claim that professors who must be constantly concerned for the security of their jobs will be the better for being "on their toes." What is much more certain is that such professors will be the worse for being constantly "on their knees." And in such a classroom, the students may well be pleased, but will they become informed and innovative?