

The Threat to Academic Freedom and the Contingent Scholar

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THE FUTURE OF SCHOLARSHIP IN Christian ethics is jeopardized by the predominance of contingent faculty at American universities. Over seventy percent of all higher education faculty are adjuncts, with half of the teaching faculty having part-time appointments.¹ Historian Wilfred McClay believes a large part of the adjunctification of faculty began with the financial challenges faced by universities in the 1980s, in which they “began to rely more heavily on less-expensive adjunct faculty members to carry the teaching load.”² Cathy Sandeen, chancellor of the University of Wisconsin Colleges states, “The main reason for this shift is economic. Salaries and benefits constitute 80 percent of expenses within colleges and universities. And as institutions become increasingly tuition-dependent and face pressure from students, families and elected officials to focus on affordability and student debt, managing expenses becomes key.”³ Though specific reasons for the increase in contingent faculty can be debated, the trend has continued. From 2003 to 2013, contingent faculty at public colleges granting bachelor’s degrees increased from 45 to 62 percent. At private colleges granting bachelor’s

¹ American Association of University Professors, “Background Facts on Contingent Faculty,” www.aaup.org/issues/contingency/background-facts. For our purposes, contingent faculty refers to any professors teaching postsecondary education who are not tenured or on the tenure-track. Some scholars use the term alternative academics, which also includes those in administrative positions inside and outside of academia. As a rule, these positions are not protected by tenure.

² Wilfred McClay, “George Keller: Intellectual Whirlwind,” *Chronicle of Higher Education*, November 23, 2007, www.chronicle.com/article/George-Keller-Intellectual/26941.

³ Cathy Sandeen, “All US College Professors Deserve Academic Freedom,” *Quartz*, July 1, 2015, qz.com/437194/all-us-college-professors-deserve-academic-freedom-not-just-the-privileged-few-with-tenure/.

degrees, contingent faculty increased from 52 to 60 percent.⁴ This correlates with a recent study by the Government Accountability Office, which found that roughly 50 percent of courses taught at four-year public colleges were taught by contingent faculty.⁵ As Jan Clausen and Eva-Maria Swidler so poignantly ask, “From a perspective that views academic freedom as the sum of the freedoms of individual faculty members, we may ask: if three-quarters of higher education faculty today are contingent, is it meaningful any longer to talk of academic freedom as a ruling principle in higher education?”⁶

This article examines threats to academic freedom faced by contingent faculty in research and in the classroom. For the contingent scholar, both areas can be easily infringed. I also insert episodes from my own life. I believe that this is warranted since I became invested in this issue when I became contingent upon graduating with a PhD in Christian Ethics from Marquette University in 2013. I also hope that the sharing of personal examples will add flesh to the statistics and other information provided. I have not only experienced the negative effects of contingency but also seen the negative impact on fellow graduates from Marquette University, peers in academic theological societies, and others in the field of Catholic theology.

In academic circles, there is often an assumption that academic freedom is something of value and should be protected. Therefore, before addressing the threats to academic freedom in research and the classroom, this article briefly examines the merits of academic freedom as a good. Since this is the *Journal of Moral Theology*, many of the arguments in this article specifically focus on the field of moral theology, but the article also includes issues that contingent scholars face in departments of theology and in the wider American university system.

ACADEMIC FREEDOM AS A GOOD FOR CHURCH AND SOCIETY

This section argues that academic freedom is a qualified good that has limits and requires responsible use. Sociologist Joshua Kim comments, “Tenure, and the academic freedom that tenure protects, is not

⁴ Scott Jaschik, “When Colleges Rely on Adjuncts, Where Does the Money Go?” *Inside Higher Ed*, January 5, 2017, www.insidehighered.com/news/2017/01/05/study-looks-impact-adjunct-hiring-college-spending-patterns.

⁵ Colleen Flaherty, “GAO Report on Non-Tenure-Track Faculty” *Inside Higher Ed*, November 21, 2017, www.insidehighered.com/quicktakes/2017/11/21/gao-report-non-tenure-track-faculty.

⁶ Jan Clausen and Eva-Maria Swidler, “Academic Freedom From Below: Toward and Adjunct-Centered Struggle,” *Journal of Academic Freedom* 4 (2013): 1-26, 3, www.aaup.org/JAF4/academic-freedom-below-toward-adjunct-centered-struggle#.Wk6XBzdG3IV.

a license to engage in unhelpful criticism or attacks of the institution in which the tenured academic is employed. With academic freedom comes responsibilities as well as rights, and one of those responsibilities is to act as a responsible citizen of the community in which one belongs.”⁷ Academic freedom run amok is ideally tempered by peer review, particularly in research. Greater difficulties for accountability are present in the classroom.⁸ Academic freedom includes choosing one’s area of scholarship, though this also includes the responsibility to choose a field that will ultimately serve the common good.⁹

From a Catholic perspective, Pope John Paul II’s Apostolic Constitution, *Ex Corde Ecclesiae*, provided nuanced support for academic freedom. Referring to the nature of the Catholic university, he stated, “Without in any way neglecting the acquisition of useful knowledge, a Catholic University is distinguished by its free search for the whole truth about nature, man and God... without which freedom, justice and human dignity are extinguished” (no. 4). The emphasis here is on the unique role the Catholic university can play in exploring and bringing together research and insights from theology, the sciences, and other disciplines. He saw the Catholic university as having a special role in society in that “its Christian inspiration enables it to include the moral, spiritual and religious dimension in its research, and to evaluate the attainments of science and technology in the perspective of the totality of the human person... a search that is neither subordinated to nor conditioned by particular interests of any kind” (no. 7). From his perspective, academic freedom should encourage professors to pursue moral, spiritual, and religious truths without concern that their pursuit will be hampered. Qualifying his vision with the notion of the common good, John Paul II explicitly stated, “Every Catholic University...guarantees its members academic freedom, so long as the rights of the individual person and of the community are preserved within the confines of the truth and the common good” (no. 12). With regard to our particular guild of moral theologians, he added, “Theologians enjoy this same freedom so long as they are faithful to these principles and methods” (no. 29). The document aims to ensure that Catholic theologians teach within an authentically Catholic framework, explaining, “Catholic theology, taught in a manner faithful to Scripture, Tradition, and the Church’s Magisterium, provides an awareness of the Gospel principles which will enrich the meaning of human life and

⁷ Joshua Kim, “How Critical Discourse about the Future of Higher Education Gets Discouraged,” *Inside Higher Ed*, October 25, 2017, www.insidehighered.com/digital-learning/blogs/limited-academic-freedom-alternative-academics.

⁸ James G. Speight, *Ethics in the University* (Beverly: Scrivener Publishing, 2016), 17.

⁹ Speight, *Ethics in the University*, 18.

give it a new dignity” (no. 20). There is much to unpack in this document, particularly regarding what it means to be “within the confines of the truth” when the truth is disputed. Although legitimate arguments can be made for church-sponsored colleges to fire a professor for doctrinal reasons, John Paul II clearly judged academic freedom as a good that should be protected.

To summarize, there is the concern that scholars may abuse academic freedom in ways that are harmful to the common good. In the realm of theology, there is the additional concern that scholars may hide behind academic freedom to purport heretical views that are not in line with a specific faith tradition. On the other hand, there is the danger that without academic freedom scholars simply become mouthpieces for “orthodoxy” to retain an insecure job. This mentality harms not only scholarship but prevents tough questions from being discussed in the classroom for the benefit of students. When this is the case, how will innovative ways be found to share or promote new opinions and arguments that may deepen the theological reservoir? With this question in mind, we will examine threats to academic freedom in research and the classroom.

ACADEMIC FREEDOM IN RESEARCH

Contingent professors encounter several difficulties in pursuing research with authentic academic freedom. This section not only explores obvious roadblocks such as those caused by lack of tenure protections but also the lack of resources and time in comparison to tenure-track faculty that can infringe on one’s research abilities. Lack of resources can limit one’s freedom just as efficiently as active censorship. Though this section largely focuses on research and publication, it also includes challenges faced by contingent faculty when disseminating their research and opinions in popular forums such as television.

To begin, contingency affects the topics one chooses to research. Certain sensitive topics in Christian ethics can only be safely navigated under the protections of tenure. The annual conference of the Society of Christian Ethics hosts small group breakfast tables where society members who have recently published books can dialogue with other members about their research. Recently, I attended one of these sessions where an author voiced opinions in his book contrary to papal teaching on sexual mores. The author, who teaches at a Catholic university, recounted being called into a meeting with the local bishop, who disapproved of the book. The author felt free to meet with the bishop, disagree with him, and let him know that he would continue to promote the ideas proposed in the book. The author still teaches at the same university, grateful for and benefiting from the

academic freedom that his tenure bestows on his writing and classroom teaching.

In my own research, I have focused more on Catholic social theory and racial justice. These are topics about which I am very passionate. However, I have purposely not done research in sexual ethics because I worry that presenting my views in this contentious area of moral theology would end the already slim hopes I have of obtaining a tenure-track position. Although no studies have been performed to measure this phenomenon, I do not believe that my hesitancy to explore controversial moral issues is unique.

Another problem facing the contingent scholar is funding and resources. To begin with, adjuncts are only paid for the classes they teach. Tenured professors are paid for teaching classes, research, and administrative duties. A recent GAO study looked at pay disparities between tenure-track and contingent faculty. They discovered that “full-time and part-time non-tenure-track professors at public institutions who primarily teach are paid about 75 percent and 40 percent less per course, respectively, than their tenure-line colleagues... [When] considering teaching duties only, however, those pay disparities decreased to about 60 percent and 10 percent less per course, respectively.”¹⁰ On top of this disparity of pay, these studies did not include benefits, which most contingent faculty do not receive. Lack of funding and low pay are part of the contingent landscape that make it difficult to dedicate substantial time to research when one must teach extra classes or work an additional non-academic job to make ends meet.

Since adjuncts often have larger class sizes, teach more classes per semester than tenured faculty, and are paid less, they also have less time for research. Tenure-track faculty receive the privilege of teaching less classes and doing more research because of the increase of contingent faculty. As Clausen and Eva-Swidler aver to tenured faculty: “Your low teaching load and routine participation in the ritual remnants of shared governance are *afforded* through my exploitation and exclusion from the ‘normal’ process.”¹¹

Finally, since most granting institutions only provide funds to non-profit institutions and will not accept applications from independent scholars, it is very difficult to apply for research grants as an adjunct, especially if your contract is from semester to semester. In addition, letterhead and business cards are generally not provided to contingent faculty, preventing them from presenting themselves professionally.

¹⁰ Flaherty, “GAO Report on Non-Tenure-Track Faculty.”

¹¹ Clausen and Eva-Swidler, “Academic Freedom From Below,” 13. Emphasis in the original.

In my own situation, I am fortunate enough to have an undergraduate degree in an area other than theology. To have time for research, I stopped adjuncting and began working in my other specialty area part-time. I do not get paid as well as a full-time tenured professor, but I am paid better than most adjuncts and have more time than many adjuncts for research. The impetus for searching out a non-theology job occurred when I was notified that my two sections of Introduction to Theology, along with over twenty other sections belonging to others, were being canceled for the spring semester. Someone had over-estimated how many sections were needed for the spring, and many adjuncts, including myself, were scrambling to find ways to make up the lost revenue. I had already begun preparations for these classes, time for which I was never paid and that could have been dedicated to research. Though rare, some institutions provide compensation for the classes of contingent faculty that are canceled with late notice. Colleen Flaherty documents that the University of Vermont pays part-time adjuncts five percent of the amount that they would have been paid for a canceled class. Taking into account the national average for part-time adjunct course pay, this equates to roughly \$150.¹²

Even when I regularly taught as an adjunct, my university e-mail and library privileges were restricted when class was not in session. I could not access journal articles online if I was off campus until the first day of class. The only reason I could enter the library and check out books for research or class preparation before the first day of class was because alumni, like myself, were granted those privileges. This barrier has slowed down both my research and my classroom preparation. Contingency erects structural barriers that not only increase the difficulty of producing quality scholarship but also affect the quantity of scholarship. My experience of just-in-time hiring and lack of access to research and class preparation materials is not unique. As James Keenan notes, the majority of adjunct faculty are “hired within three weeks of the beginning of the semester.”¹³

In addition to academic scholarship, scholars serve the common good when they share their expertise in popular media as public intellectuals. In a recent example, Lisa Durden taught communications as an adjunct at Essex Community College in Newark, New Jersey. Durden is African American and appeared on Fox News during the summer of 2017 to defend a Memorial Day event sponsored by Black Lives Matter. Black Lives Matter wanted to create a safe space for

¹² Flaherty, “Contracts Up Close,” *Inside Higher Ed*, April 21, 2015, www.insidehighered.com/news/2015/04/21/labor-conference-panel-centers-contract-provisions-adjuncts-course-cancellation.

¹³ James F. Keenan, *University Ethics* (Lanham: Rowman & Littlefield, 2015), 46.

people of color that excluded whites for this single event. For supporting the exclusion of whites from this event, Essex Community College suspended her and, after two weeks, fired her. Public pressure played an enormous role in the firing of Durden. Essex president Anthony Munroe stated that the reason for her firing was “frustration, concern, and even fear” from faculty and students over Durden’s remarks. Munroe continued, “Institutions of higher learning must provide a safe space for students to explore, discuss, and debate.... Racism cannot be fought with more racism.”¹⁴ It was terribly uninformed for a university president to define an all-black gathering as racist. This judgment betrays an ignorance that confuses racial prejudice, which any person can have for another race, with racism as a cultural reality manifested through patterns of discrimination that are institutionalized by a society. In this sense, a small group of black activists cannot cause patterns of discrimination that materially harm the lives of white Americans. Durden tried to explain this to the Fox News host but was repeatedly interrupted and bombarded with insults in which she was likened to a Nazi.¹⁵ The most appropriate act the university could have taken in response to complaints was to defend her viewpoints or, at a minimum, to defend her academic freedom. Instead, they conceded to misinformed public pressure and have contributed to an environment in which contingent faculty know that they could be fired for expressing their views.

In the fall 2016, Nathaniel Bork was an adjunct philosophy professor at the Community College of Aurora in the Denver area. He was fired one week after informing the administration that he had composed a letter for the Higher Learning Commission expressing his concern that the college had lowered curriculum standards to improve student retention and graduation rates. In response to his termination, Bork requested a faculty hearing but was denied any form of appeal. The American Association of University Professors performed their own investigation, found the college at fault, and censured the college

¹⁴ Jonathan Zimmerman, “NJ Professor Fired for Fox News Comments Points to Larger Problem,” *Philadelphia Inquirer*, July 7, 2017, www.philly.com/philly/opinion/commentary/no-freedom-or-security-for-adjunct-faculty-20170706.html. President Munroe’s statement is available at “Statement Regarding Essex County College and Commitment to Sustaining a Diverse Learning Community,” YouTube, www.youtube.com/watch?v=vJM-UsidVvk.

¹⁵ Her interview on Fox News is at “Lisa Durden on Black Lives Matter’s Right to Assemble in a Safe Space,” YouTube, www.youtube.com/watch?v=_vRMnWck-GOU.

for violating Bork's academic freedom.¹⁶ If I am honest, college practices like the firing of Nathan Bork would have stopped me from writing this article a couple years ago. I would have been too worried how my university would have responded to me. Although the firing of contingent faculty for expressing their views is not common, it happens just often enough to persuade contingent faculty to self-censor what they teach, research, and publish.

Attacks against academic freedom do not only affect contingent faculty, but tenure-track faculty as well. The academic freedom of tenure-track faculty is being compromised by a "knowledge economy," which pressures faculty to pursue certain research and results that financially benefit the university or a university patron. This is achieved by funneling "discretionary moneys for travel, research, and scholarships...for use in designated priority areas or 'areas of strength.'"¹⁷ Adjunct faculty do not have to worry about this ivory tower problem since one of the problems they face is a lack of access to these funds.

Nevertheless, contingent faculty have legitimate concerns regarding the infringement of their academic freedom in the research they choose and the publication, or popularization, of their research. The obstacles raised by contingent status regarding lack of time, money, and academic resources, often rob scholars of the ability to make regular contributions of original research and "sustaining creativity" in the field of moral theology.¹⁸ The combination of a growing contingent faculty with a lack of academic freedom should concern all moral theologians. Without the protection of academic freedom for all faculty, not only is our guild being stifled but the service of theologians to church and society is obstructed.

ACADEMIC FREEDOM IN THE CLASSROOM

Academic freedom in research and the classroom are intimately connected. One can imagine that the primary concern of those parents and students who complained about the Fox News interview with Lisa Durden was that she would teach in the classroom what she expressed on Fox News. At the same time, academic freedom in the classroom is a more urgent concern for many contingent faculty because, as previously stated, most contingent faculty have less time for research because of teaching more introductory classes with more students than

¹⁶ Jennifer Brown, "Community College of Aurora Censured for Violating Academic Freedom of Instructor," *Denver Post*, November 22, 2017, www.denverpost.com/2017/06/17/community-college-aurora-censured/.

¹⁷ Margaret Thornton, "Academic Un-Freedom in the New Knowledge Economy," in *Academic Research and Researchers*, ed. Angela Brew and Lisa Lucas (Berkshire: Open University Press, 2009), 27.

¹⁸ Steven M. Cahn, *Saints and Scamps: Ethics in Academia: 25th Anniversary Edition* (Lanham: Rowman & Littlefield Publishers, 2011), 42.

tenure-track faculty or because of time lost as they travel between the multiple colleges at which they teach.

Matthew Hertzog states that the necessity of academic freedom in the classroom dates to the fifth century B.C.E. with Plato's *Republic*, which advocated a learning environment where both teachers and students were free to converse on important topics.¹⁹ Hertzog proposes that Plato's notion was further developed in the Middle Ages and resulted in freedom of speech, or *Lehrfreiheit*, in the German university system of the late nineteenth century. The German notion of *Lehrfreiheit* influenced the contemporary notion of tenure in the United States, leading to the composition of a landmark document for preserving academic freedom and preventing wrongful termination by the American Association of University Professors in 1915.²⁰ During the 1800s, American universities relied more on donors than government aid. As a result, donors exerted more influence in the selection and/or removal of professors. Nevertheless, Hertzog notes that "a de facto tenure system did exist since faculty members typically only were terminated for interfering with the religious teachings of the university."²¹ Many universities adopted the principles from the 1915 statement, but there was wide variation. In 1940, the AAUP issued an updated statement, which most universities soon adopted to attract professors after World War II. The GI Bill had resulted in a flood of students entering the American university system and the need for more professors placed the professoriate in a position to dictate the terms of their employment.²² As Hertzog notes, academic freedom in the classroom is not only to protect the professor when discussing controversial topics but also "provide students an opportunity to question theories presented to them in their classrooms."²³

This lack of academic freedom in the classroom was exemplified in the story of a fellow adjunct moral theologian, whose Catholic theology department summoned the adjuncts to a meeting in which greater restraints were being placed on how they taught the introduction to theology class. Noticeably absent were tenure-track faculty who taught the very same course. One of the tenured professors lead-

¹⁹ Matthew J. Hertzog, "The Evolution of the Protections of Tenure in Relation to Academic Freedom in the United States" (Doctoral Dissertation, Illinois State University, 2013), 1.

²⁰ Hertzog, "The Evolution of the Protections of Tenure," 1, 3. For a copy of the AAUP document, see "1915 Declaration of Principles on Academic Freedom and Academic Tenure," www.aaup.org/NR/rdonlyres/A6520A9D-0A9A-47B3-B550-C006B5B224E7/0/1915Declaration.pdf.

²¹ Hertzog, "The Evolution of the Protections of Tenure," 5.

²² Hertzog, "The Evolution of the Protections of Tenure," 11-12.

²³ Hertzog, "The Evolution of the Protections of Tenure," 2.

ing the session stated that greater consistency was needed in the introductory course and since agreement for this could not be reached among tenured faculty, at least some consistency in the course could be implemented through the contingent faculty. The implication was that they could not refuse without losing their contract. I will note that the ethicist continued to teach the class as she always had because the department did not put any protocols in place to police the new restraints.

The contingent faculty had been called into this meeting because the teaching methods of certain tenure-track and contingent faculty were not properly laying the theological groundwork for additional classes in theology. This story illustrates how easy it is for contingent faculty to lose academic freedom in the classroom. However, it is more than that. This story speaks to the incongruities present when tenured faculty believe they can dictate how foundational courses ought to be taught when they cannot even agree among themselves. The department did not request any input from contingent faculty, who were teaching most of the classes. This is still the case at this Catholic university. In the introduction to theology course listing for spring 2018, tenure-track faculty taught only seven of the twenty-six sections of the class. The core foundational course is essentially contracted out so that tenure-track faculty can teach the upper level classes that are more closely connected to their areas of research.

Academic freedom in the classroom includes challenging students and presenting perspectives with which they are unfamiliar. Teaching students also requires rigorous coursework and tests to measure a student's grasp of the material. However, as English professor Janet Casey notes:

[Contingent faculty] literally cannot afford to speak their minds on the departmental or institutional levels, nor is it difficult to see why they might legitimately dread student evaluations. They are forced to curry the favor of colleagues as well as students, potentially limiting their effectiveness as teachers and contributing to grade inflation.... The free exchange of ideas among intellectuals is little more than an illusion when many faculty members operate daily under the threat of censorship.²⁴

Contingent faculty jobs are more susceptible to negative feedback from challenging students than their tenure-track peers.

²⁴ Janet G. Casey, "Taking the Leap," *Inside Higher Ed*, November 21, 2011, www.insidehighered.com/views/2011/11/21/essay-responsibilities-tenure-track-faculty-address-adjunct-issues. See also Eva Swidler, "The Pernicious Silencing of the Adjunct Faculty," *Chronicle of Higher Education*, October 30, 2017, www.chronicle.com/article/The-Pernicious-Silencing-of/241601?cid=wcontentgrid_hp_2.

Eva Swidler recently proposed a narrative that should disturb Christian ethicists. She began by relating that “over two-thirds of 2016 high-school graduates in the United States at least began college.”²⁵ And since more than seventy percent of college professors are contingent, a great percentage of our youth will receive instruction from adjunct faculty. “But if what they learn and discuss tiptoes around topics like exploitation, violence, and racism, what are they learning? That these are not important issues to think about? That these are not issues that should concern them? That these are issues to be ignored, or even swept under the rug, lest the boat be rocked?”²⁶ Swidler then connects this problem as injuring the proper formation of American citizens.²⁷ While this should concern us, a greater concern should be the malformation of Christians because of a censorship on justice issues in theology classes.

Many contingent faculty endure censorship before the first day of class, after turning in their syllabus to the department. Eva Swidler notes that “controversial authors and readings get weeded out.”²⁸ At a recent academic theology conference, two contingent faculty shared this exact experience where they each had chairs eliminate readings from their syllabus that were deemed too controversial.

Philosopher and ethicist Steven Cahn argues for the importance of academic freedom in theology classes at universities with religious sponsorship. Where academic freedom is under attack, he sees the danger of dichotomizing academic competence and shallow credal repetitions. Cahn states, “Where academic freedom is secure, students enter classrooms with the assurance that instructors are espousing their own beliefs, not mouthing some orthodoxy they have been programmed to repeat.”²⁹ While most moralists are concerned about religious orthodoxy, Cahn’s point can address the fears that contingent faculty face for espousing, or even discussing, opinions that are not favored or viewed as too controversial by a theology department. Contingent faculty in ethics find themselves writing and teaching on some of the most disputed topics in contemporary Christianity. Cahn rightly states that infringing on academic freedom and exercising “intellectual control over a faculty... inhibit its search for truth.”³⁰ In any liberal arts classroom, professors hope to have entrenched discussions in which students struggle to master the material and form their own opinions.

²⁵ Swidler, “The Pernicious Silencing of the Adjunct Faculty.”

²⁶ Swidler, “The Pernicious Silencing of the Adjunct Faculty.”

²⁷ Swidler, “The Pernicious Silencing of the Adjunct Faculty.”

²⁸ Swidler, “The Pernicious Silencing of the Adjunct Faculty.”

²⁹ Cahn, *Saints and Scamps*, 4.

³⁰ Cahn, *Saints and Scamps*, 4.

As a PhD candidate at Marquette University, I witnessed a tenured professor offer a new undergraduate class on homosexuality that he had designed. A couple of semesters later, the Theology Department denied the same opportunity to an adjunct. The adjunct assumed it was because the class would be too controversial for an adjunct to teach. After graduating, I was fortunate to teach classes on violence and racism at Marquette University, but I also wished to teach a course that I had created on gender roles and sexuality in the world religions. Since I believed that I also would be turned down if I offered the class to Marquette University, I submitted it to the University of Wisconsin-Milwaukee, a nearby state university, and taught it there the following semester. In the right-to-work environment inhabited by adjuncts, I quickly found myself teaching at two universities to financially support myself and find my job fulfilling.

WAYS TO MOVE FORWARD

As James Keenan notes, the treatment of contingent faculty is one symptom of a larger ethical problem facing college campuses. He argues that the problem is systemic, “In other forms of professional life, we have long recognized a strong connection between the lack of a professional ethics in a particular institutional setting and the lack of an ethical consciousness in that culture.”³¹ Keenan refutes the notion that universities make ethical decisions based on the common assumption that intelligence and ethical behavior are connected. Keenan believes this to be an unwarranted and false assumption.³² Intelligence does not ensure morality. Universities must regularly examine their actions in light of moral and religious insights to make assessments of current practices and create strategies for implementing and retaining a just culture.

Keeping this mind, there is no magic panacea for solving the lack of academic freedom in the lives of contingent faculty. Since universities are largely islands to themselves, different strategies should be recommended for different campuses with the hope that individual university changes build toward a culture in which the academic freedom of contingent faculty is valued and protected. Thus, this section is not suggesting one method over another nor does it offer an exhaustive list. Instead, it lists several options that could be employed or may inspire additional ideas. No matter which path is chosen, though, the path ahead will be arduous and require sacrifice.

The Delphi Project on Changing Faculty and Student Success notes four primary vehicles for enacting change: unions, faculty senate, collaboration between all faculty and administration, and actions taken

³¹ Keenan, *University Ethics*, 4.

³² Keenan, *University Ethics*, 28.

by the governance of a university or university system.³³ Such vehicles could provide situations more conducive to academic freedom, such as shared governance with adjuncts, multi-year contracts, promotions, seniority preference for rehiring of adjuncts, paid sabbatical leave, grievance procedures, funds for professional development and conferences, and equitable pay and benefits.³⁴

One example of the unionization of contingent faculty for protecting academic freedom occurred at California State Polytechnic University in Pomona. Certain rights were secured for contingent faculty on campus with a contract in 1983. The initial contract negotiated a grievance policy, healthcare, and retirement benefits. It did not solve all problems, but it provided a foundation for working toward a just environment for contingent faculty. In 2002, the new contract added “longer-term secure appointments with a higher time base (higher percentage of the full-time load), annual and three-year contracts with entitlements with a certain number of teaching units, assign work based on faculty members’ evaluations and qualifications.”³⁵ An additional benefit enjoyed by unionized contingent faculty is community connections. If the time to strike or apply pressure to the administration does occur, connections with other union members in various trades in the area can be a great asset.³⁶ The job security afforded by unions aids contingent faculty in making commitments to academic organizations like the Catholic Theological Society of America and the Society of Christian Ethics (SCE). To use the example of the SCE, which meets every January: concurrent session proposals need to be submitted by mid-March, which requires contingent faculty to commit to attending the conference the following January even though their employment status may vary from semester to semester. Although unions have been helpful in promoting academic freedom on many college campuses, not all states protect the rights of workers to unionize.

University faculty handbooks may already guarantee contingent faculty rights that they are not aware of or are not being enforced. If the handbook does not promote academic freedom for adjuncts, pushing for the revision of an outdated handbook can be a pressure point

³³ The Delphi Project, “The Path to Change: Villanova University,” www.thechangingfaculty.org/uploads/9/1/4/8/91481016/villanova-university_path.pdf.

³⁴ The Delphi Project, “The Path to Change: Villanova University.”; The Delphi Project, “California State Polytechnic University,” pullias.usc.edu/wp-content/uploads/2013/07/CAL-Poly-Pomona_PATH.pdf; The Delphi Project, “Mountain College,” pullias.usc.edu/wp-content/uploads/2013/07/Mountain-College_PATH.pdf.

³⁵ The Delphi Project, “The Path to Change: California State Polytechnic University, Pomona,” www.thechangingfaculty.org/uploads/9/1/4/8/91481016/cal-poly-pomona_path.pdf.

³⁶ The Delphi Project, “The Path to Change: California State Polytechnic University, Pomona.”

for moving forward the discussion on academic freedom for contingent faculty.³⁷ Villanova University has gone a step further in creating an Adjunct Faculty Handbook that is forty-nine pages. The section on academic freedom succinctly avers what is protected and what is not: “All faculty members (tenured, tenure-track, non-tenure-track full-time, or part-time adjunct) are entitled to full academic freedom in teaching, in research, and in disseminating the products of their scholarship.”³⁸ It also states that “scholarly discourse on religious matters is protected,” but discussion of controversial topics in the classroom or in public that are not related to one’s field or the “espousal of propositions that lack any scholarly support” are not protected.³⁹ Some scholars may not view the conditions as ideal, but they do clearly explicate which kinds of scholarship and speech will be protected. Moreover, they plainly protect the academic freedom of contingent faculty.

In 2007, the American Federation of Teachers published a document on academic freedom for all faculty. They proposed the following solutions not only to stop the erosion of academic freedom but expand its realm: (1) create dialogue about this topic on college campuses between tenured and contingent faculty, (2) have faculty hold meetings with legislators and the larger community to explain the importance of academic freedom and the role it plays in protecting a democratic society, (3) have faculty organize and negotiate collective bargaining agreements, since current tenure practices and academic freedom are mostly controlled by the college administration. This last point may also require political pressure to provide collective bargaining or similar measures in areas where they do not exist.⁴⁰

The discussion of academic freedom on campus does not guarantee improvement. In September 2015, John Hopkins University published an official statement on academic freedom. Because the university allowed comments on the final draft, it is available for comparison with the official statement. The official statement deleted from the draft the following sentence: “Although tenure may form its backbone, Academic Freedom extends to all faculty, students, and staff alike.”⁴¹ Although the finished document promotes academic freedom, it does not

³⁷ The Delphi Project, “The Path to Change: Villanova University.”

³⁸ Villanova University, Office of Provost, “Adjunct Faculty Handbook,” November 22, 2016, p. 14, www1.villanova.edu/content/dam/villanova/provost/Adjunct%20Faculty%20Handbook.pdf.

³⁹ Villanova University, “Adjunct Faculty Handbook,” 14.

⁴⁰ American Federation of Teachers, “Academic Freedom in the 21st-Century College and University,” 16-18, www.aft.org/sites/default/files/academicfreedomstatement0907.pdf.

⁴¹ For a copy of the final draft, see Stephen Downes, “Johns Hopkins Academic Freedom Statement – An Analytical Representation,” www.downes.ca/cgi-bin/page.cgi?post=64647.

explicitly mention who is protected by academic freedom, and this resulted in a diluted document that does nothing to protect the most vulnerable members of the academic community on campus.⁴²

Janet Casey taught as an English adjunct for fifteen years before receiving a tenure track position. She challenges her fellow tenure-track faculty to accept sacrifices to create a university climate that is more just for contingent faculty: “[Tenured faculty] will inevitably have to give something up. All the hand-wringing in the world will not compensate for the genuine material sacrifices—of dollars or of pet projects—that TT [tenure-track] faculty must make in order to create a faculty labor system that is more ethical and more genuinely reflective of our stated goals and priorities.”⁴³ A stunning example of this occurred around 2013 at Clarke University in Dubuque, Iowa. The senate faculty voted to forgo their raises and instead redirect the funds to adjunct faculty. This raised adjunct pay from about \$2,100 per class to \$2,700.⁴⁴ This represented a 28.6 percent raise for adjuncts who had not seen their pay increase for years.

Although in the earlier examples of adjunct faculty being terminated, the professors were told the reason for their termination, most adjuncts do not need to be given a reason for their termination as they are at-will employees. Additionally, there have been instances of contingent faculty being fired based on a student complaint that was not investigated. To combat this problem, the AAUP has recommended that schools that are choosing to either terminate or not renew the contract of an adjunct “should tell instructors why they were not rehired and give them a formal opportunity to appeal the decision.”⁴⁵

CONCLUSION

Although this article has focused on academic freedom in research and the classroom as separate topics, they are connected. Cahn argues that participation in research and scholarship is a way of confirming that a professor’s “skills remain at the level necessary for the proper

⁴² See the official statement at “Academic Freedom at Johns Hopkins,” web.jhu.edu/administration/provost/initiatives/academicfreedom/AcademicFreedomatJohnsHopkins.pdf.

⁴³ Casey, “Taking the Leap.”

⁴⁴ Brenna Cussen Anglada, E-mail correspondence with author, December 20, 2017. Anglada was an adjunct at Clarke University when this happened.

⁴⁵ Robin Wilson, “Adjuncts Fight Back Over Academic Freedom,” *Chronicle of Higher Education*, October 3, 2008, www.chronicle.com/article/Adjuncts-Fight-Back-Over/22742. James Keenan also addresses the lack of due process in the firing or elimination of adjunct positions and advocates the introduction of due process rights. Keenan, *University Ethics*, 48.

fulfilment of... [teaching] duties”⁴⁶ and that one still has the “intellectual rigor” to teach relevant information to one’s students.⁴⁷ Similarly, Rev. Joseph Koterski argues, “The kind of intellectual formation that students may rightly expect to find at the university level will be more likely to occur when their instructors are personally engaged in research, so that what teachers impart is a personal sense of the quest and not just a set of pre-packaged results.”⁴⁸ Alternately, teaching helps professors to ground their research in relevant questions since students want to understand how the knowledge of one class fits into other knowledge they are acquiring.⁴⁹ In this way, the classroom brings the scholar in touch with the questions and concerns of everyday Christians and society at large. Of course, there is the danger in assuming that one’s classroom is representative of society. For example, blacks and Hispanics continue to be underrepresented at America’s top colleges.⁵⁰ So their concerns are not proportionately represented in what are considered America’s most prestigious institutions of higher education. Though even if professors dedicate equal time to research and teaching, Keenan cites examples of researchers at universities who are “out of touch with their students.”⁵¹ So, while there can be a mutual benefit between research and teaching, professors can utilize this benefit only when academic freedom is protected in both research and the classroom.

Though it is outside the scope of this article, Karen Peterson-Iyer rightly notes that women are disproportionately contingent compared to their male peers.⁵² It logically follows that these women will not be able to present papers or publish articles as often as their male tenure-track peers. Creating pathways for the involvement of contingent scholars in academic associations and peer-reviewed publications will ensure that their voices and experiences are not silenced.

The purpose of academic freedom is not for individuals to explore personal whims but “to impart what is knowable in a given discipline, and to contribute to the development of maturity in body and mind,

⁴⁶ Cahn, *Saints and Scamps*, 42.

⁴⁷ Cahn, *Saints and Scamps*, 72.

⁴⁸ Joseph W. Koterski, “Taking a Catholic View on Academic Freedom,” *The Cardinal Newman Society*, July 20, 2017, cardinalnewmansociety.org/taking-catholic-view-academic-freedom/.

⁴⁹ Koterski, “Taking a Catholic View on Academic Freedom.”

⁵⁰ Jeremy Ashkenas, Haeyoun Park, and Adam Pearce, “Even with Affirmative Action, Blacks and Hispanics are More Underrepresented at Top Colleges than 35 Years Ago,” *New York Times*, August 20, 2017, www.nytimes.com/interactive/2017/08/24/us/affirmative-action.html.

⁵¹ Keenan, *University Ethics*, 42-43.

⁵² Karen Peterson-Iyer, “Gender Justice and Academic Contingency,” Presented at Society of Christian Ethics Conference, Portland, OR, January 4, 2018.

heart and spirit.”⁵³ In this sense, academic freedom should not only be at the service of students but for the common good.⁵⁴ Contingent faculty must often make sacrifices in either the classroom or research, which makes it difficult to be an engaged scholar. As the percentage of contingent faculty continues to grow and tenured faculty shrinks, what will the future of our discipline look like? How will rigor in the classroom be affected? When will university administrators, faculty, and students prioritize the need for academic freedom in higher education? Or will academic freedom completely disappear from the realm of the university in the coming years? Although these are questions for the future of Christian ethicists in general, they are questions already facing contingent faculty. **M**

⁵³ Koterski, “Taking a Catholic View on Academic Freedom.”

⁵⁴ Koterski, “Taking a Catholic View on Academic Freedom.”