

Civil Service, Tenure, and Management Fashion: How Changes in Academic Fashion Affect Merit Reform

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Every organization has to determine who makes its key decisions and which criteria signal a decision maker's legitimacy. At least since the Progressive era (1895-1917), a major fault line in decision making has been the relative role of hierarchical status versus expertise as a resource for power. Fluctuations in the role and respect accorded civil service and tenure throughout the twentieth and early twenty-first centuries are best understood in relation to fluctuations in the relative legitimacy accorded professional knowledge and hierarchical place at a given time.

The rise of tenure in American universities coincided with Progressive era support for widespread professionalization. It followed the rise of scientific management with its insistence on the importance of giving knowledge—as opposed to hierarchical place or money—a role in organizational decision making. Tenure's contemporary decline cannot be understood apart from the wider movement to remake public agencies and voluntary organizations in a neoliberal image derived from business that valorizes the manager's role in decision making. When directed at public agencies, this approach is generally labeled new public management (NPM) or reinventing government and often extolls the role of the manager against that of politicians including legislatures (Osborne and Gaebler 1992). When reconstruction is directed at the voluntary sector including universities the approach is called marketization, corporatization, or managerialism (Eikenberry and Kluver 2004). Many professors believe it

leads to loss of whatever control they once had over academic decision making (Maassen 2003).

The popular press often discusses university personnel systems—particularly the awarding of tenure—as a world unto itself, one significantly different than the personnel systems in place for all other organizations. The argument of this paper is that university personnel systems actually mirror the human resource management ideas current in intellectual discourse at a given time. Any attempt to change the contemporary eroding of tenure has to attack those generic management theories that promote the use of contingent faculty. The first step in such an attack is to show discrepancies between actual business practice and its consequences and the rosy picture served up by the managerialists. Exposing the unwanted effects that at-will hiring and retention brings to the for-profit sector should make its imposition less viable elsewhere.

The paper expounds its analysis in four sections. The first examines the intellectual currents towards the end of the Progressive era that led both professors and university administrators to begin to support tenure, a support that grew throughout the first half of the twentieth century. The second section analyzes intellectual currents in the late twentieth century neoliberal era that persuaded many administrators to see tenure as harmful and led to a sharp drop in the percentage of faculty members able to secure the benefit. The third section discusses why tenure is still being debated 100 years after the first American Association of University Professors (AAUP) proposal on the subject—why it seems to be a subject without any closure.

Part of the analysis centers on the way that changing economic and social patterns precipitate shifts in intellectual fashion. The analysis suggests that just as such changes worked against tenure in the late twentieth century, the current economic landscape may provide a path to reinstitute a sense of tenure's advantages. The 2008 financial downturn generated new perceptions about managerial hegemony which could begin to overturn the neoliberal support for unfettered managerial discretion. The fourth section offers conclusions including a path to a more nuanced view of managerial discretion in any organization as a first step to questioning tenure's demise.

Tenure in the Progressive Era

Throughout the twentieth century, scholars defined professions in relation to knowledge. Progressive-era reformer, Abraham Flexner (1915) characterized a profession's essence as intellectual in character; he saw professions as communities with a technique communicable through a specialized education. Over fifty years later, Frederick Mosher (1968) conceived professions as a mechanism for translating knowledge—especially new knowledge—into service and work. Sociologist Magali Larson (1977) defined the cognitive dimension of a profession as a body of knowledge and techniques learned through formal education that initiates applied at work. Bledstein (1976) considered a profession an occupation where people mastered a body of knowledge and received a university degree. For Abbot (1988) abstract knowledge was central for shaping professions.

Because of their unique expertise society accorded professionals the right to some control over their work. Such control meant some autonomy to make important decisions about how to structure their labor (Flexner 1915, Larson 1977). As Mosher (1968: 124) noted

“the “basic drive of every profession...is *self-government* in deciding policies...the underlying argument is that no one outside—no amateur—is equipped to judge or even to understand the true contents of the profession.” For professionals working in organizations this meant that the hierarchy should exercise a delegative style of leading where the professionals themselves make many work-related decisions based on internalized work standards and ethical norms (Van Wart 2011).

Progressive-era reformers believed that professionalizing positions through the imposition of educational benchmarks and codes of conduct would benefit clients by providing improved service and efficiency (Hart 1913, Lowell 1913). Flexner (1915) argued that professionals were more likely than other workers to labor in the public interest. This deference to knowledge as a resource for organizational decision making linked to ongoing shifts in the theoretical ideas underpinning how organizations should go about assembling an effective work force in both the public and private sectors. The first link was to the civil service movement. Since the 1860s, its advocates had posited neutral competence rather than partisan loyalty as a criterion for hiring and retaining government employees (U. S. Civil Service Commission 1874). At federal and state levels, civil service reformers argued that at-will employment depressed efficiency as workers saw less effective colleagues rise because of a supervisor’s favoritism. Reformers considered exams that tested worker knowledge to be a better way to hire and promote the most effective people as opposed to the manager’s cronies. While civil service exams of this period tended to test for elementary level reading and math skills—rather than professional preparation—their use established knowledge as a prerequisite for making administrative decisions. Merit protections made it likely that professionals would not allow

political pressures to deflect them from making decisions based on their knowledge and expertise (Rosenbloom 2014). Civil service provisions existed to protect the beneficial role of neutral expertise.

The second link was to Frederick Taylor's (1947a, 63) popular theory of shop management which based production decisions on "clearly defined and fixed principles." Taylor and his supporters recommended experimentation as the way to resolve best practice disputes between managers and workers both in manufacturing and service organizations (Taylor 1916b, Nyland 1996). In line with his emphasis on neutral competence, Taylor (1916) favored civil service requirements for government employees although he wanted to see agencies assess characteristics such as perseverance as well as cognitive abilities. In particular, he proposed giving government employees guarantees of long tenure rather than replacing them every four years with those favored by a new administration. Taylor acolyte, Morris Cooke (1914, p. 613) labelled "mistaken" the deference to hierarchy behind the notion that "the man at the top is in a position to tell the man at the bottom what is good for him." He considered learning who has the requisite information to be a better way to decide who directs whom. Mary Follett (1992) believed that the essence of scientific management was that first-line employees and supervisors worked together to discover the law of the situation rather than having hierarchical rank alone determine who gave orders to whom.

Professionalization affected late nineteenth and early twentieth century postsecondary educators in at least two ways. First, it increased the need for and thus, the number of professors. Simultaneously, it also increased their importance to society as university faculty members had the responsibility to devise curricula to educate the new professionals (Devine

1907). Between 1890 and 1900 alone, society's need for educated experts led to a 90 per cent increase in the number of university professors (Metzger 1955). Part of the ensuing growth in the early twentieth century came in fields such as business administration and engineering that were relatively new to the academy but now claimed a professional expertise of their own (Schachter 2010). To illustrate the change in one field, note that in 1897, America had one university business program; by 1917, it had 30 (Hotchkiss 1918, Sass 1982).

Higher education developments in the late nineteenth century also encouraged American professors to see themselves—or at least the elite among them-- as worthy of donning the professional mantle. Prior to the 1870s undergraduate education dominated the higher education scene. Instructors tended to be clergy hired for their religious sensibilities rather than any specialized erudition. The late nineteenth century saw the introduction of universities with PhD programs. Such institutions hired instructors because they had expertise in a particular field and could use their specialized knowledge to pursue research (Metzger 1955). As Metzger (1969, p. 12) has noted “this was the period when the academic profession came of age, when it came to think of itself as specialized, competent, and scientific.”

According to the reform wisdom of the Progressive era, clients—whether defined as students or those organizations that used university research-- benefited when the professionals controlled their work routines. For professors such control centered on what we call the right to academic freedom in teaching and research. In theory, this right had profound implications for the power relations between professors and university administrators. As economist Thorsten Veblen (1918, p. 86) explained “no scholar or scientist can become an employee in respect of his scholarly or scientific work.” In regard to academic decision making

the relation of administrators to faculty experts was “the relation of assistants serving the needs... of the body of scholars.”

Yet professors, unlike most lawyers and doctors of the time, were subordinates in organizations. Legally they worked for the boards of trustees that controlled their institutions (Haber 1991). They tended to have annual contracts. At the contract’s expiration, the board or the president could refuse renewal for any reason including if these hierarchical superiors did not agree with the positions a given professor took in class or in an outside presentation. So while society gave professors a sense of the dignity of their work, a teacher probing controversial areas had to worry whether a disputed paper or utterance might cost a job. Indeed, the principle that experimentation rather than position should decide a course of action faced rocky terrain even in the behavior of people who taught scientific management. When educational disputes erupted between an early Harvard Business School dean and an assistant professor, the result was the departure of the assistant professor rather than a series of classroom experiments to see who was right (Schachter 2016). Between 1890 and 1900 in at least ten cases various universities dismissed professors because they espoused views on social subjects such as free trade or immigration that went counter to the views of administrators or significant donors (Metzger 1955). Such dismissals occurred at leading universities. Between 1912 and 1917 Columbia University dismissed several professors for their views on economic or political issues (Barrow 2014). So the argument here is not that knowledge triumphed as a resource for decision making throughout the Progressive era but rather that much cutting edge academic and professional literature of the time touted its value in preference to relying on hierarchical standing. When actual practice departed from widely touted theory, at least some

faculty members were ready to work to change the situation. In general, these faculty members taught at elite universities with PhD programs.

In 1914 the American Economic Association (AEA), the American Political Science Association (APSA), and the American Sociological Association (ASA) appointed a joint committee to outline general principles of academic freedom. Chaired by Edwin Seligman, an economics professor at Columbia University, it was composed of nine academics, three from each society. This committee assumed that the conventional Progressive understanding that professional independence enhanced client service also applied to the academic environment. For this reason it highlighted the public importance of the problem created when university administrators denied professors academic freedom along with the personnel procedures necessary to protect its survival. The underlying rationale for academic freedom was that both students and the community at large deserved to learn the latest research regardless of whether it was yet considered accepted wisdom by the hierarchy. To protect that right the committee recommended professorial tenure after a probationary period as one means towards the social good that academic freedom brought. Such tenure did not mean the right to a job for life although some contemporary opponents of tenure portray it as an ironclad guarantee of employment (Hacker and Dreifus 2010). It meant a right not to be dismissed without just cause and a hearing before a faculty committee. In this view, tenure was not a personal privilege but a far sighted public policy that would attract good people to teach in universities (Joint Committee on Academic Freedom and Academic Tenure 1915).

Within a year Seligman joined with Arthur Lovejoy of John Hopkins and John Dewey of Columbia to form the American Association of University Professors, an organization they

explicitly envisioned would protect academic freedom. Examining the early history of the American Association of University Professors shows how its approach to defending tenure related to the intellectual ferment created by the literatures on civil service, professionalization and scientific management with their emphasis on the importance of knowledge in decision making. In its earliest policy statements, the AAUP (2006, 294-95) asserted the importance of professors being able to impart the results of research based on their “prolonged and specialized training” and then noted that “once appointed, the scholar has professional functions to perform in which the appointing authority have neither competency nor moral right to intervene.” In other words, the expertise of the professor required deference for the greater social good. Tenure was awarded to protect what the AAUP saw as the three pillars of academic freedom: freedom in inquiry, classroom teaching, and extramural expression and activity.

The 1915 meeting strove to enshrine expertise as a unifying principle by restricting organizational membership to professors with teaching and research responsibilities who were recognized for their scholarship and productivity. Administrators without such responsibilities were ineligible to become members (Lovejoy 1915). Documents show science and expertise as enterprises that the organizers viewed in a positive light. As the AAUP’s first president John Dewey (1915) noted, the organization needed an “atmosphere of scientific discussion“ (p. 149). It needed a “scientific spirit” (p. 151).

In the academic setting, issues of tenure and shared governance were closely related. Gerber (2010) shows this relationship through the timeline of early AAUP actions; in 1915 the organization created Committee A on Academic Freedom and Tenure and then in 1916

followed with Committee T on the Place and Function of Faculties in University Government and Administration. The organization's argued that a university's administrators had to include faculty members in academic governance because of the faculty's unique expertise. But for a voice in university governance to make sense faculty members needed assurances that administrators or trustees would not dismiss them for an independent stance. How could they make independent decisions if all professors knew that their hierarchical superiors could remove them at any time? Shared governance required scholars who would share their expertise not as yes-people to a hierarchy but rather as independent professionals. Shared governance benefited from a tenure system

Even before the AAUP's 1915 statement some university presidents such as Harvard University's Charles Eliot spoke out in favor of tenure for senior faculty members (Tiede 2015). So powerful were the AAUP's rationales for tenure that by 1922 the Association of American Colleges (AAC), the organization representing higher education presidents, accepted the concept even though some of its members had originally been hostile (Metzger 1955). Such acquiescence does not mean that in the 1920s presidents relinquished an interest in making decisions about university curricula and research. It means that the intellectual tenor of the times convinced a majority to make their decisions in a system that retained tenure.

It may mean as well that these presidents were shrewd enough to realize that senior administrators retained formidable resources for power even when professors received tenure. They could influence faculty member behavior through positive reinforcement tools such as merit pay or travel funds. They could watch faculty carefully in their probationary years and cull from that group. [Donors also seem to have realized that positive reinforcement could help

them influence curriculum and research trajectories even with a tenured faculty. In the 1920s, Rockefeller controlled foundations used grants and related financial leverage to support “value neutral” collegiate study of public administration (Roberts 1994).]

In 1941, both the AAUP and the AAC endorsed a seminal AAUP statement on academic freedom and tenure principles. This joint action meant both organizations recognized tenure as indispensable for colleges to fulfill their promise for students and society (Cain 2012). With such a consensus among key university stakeholders, by mid-century formal tenure policies had become the norm at American universities (Rosenthal 2011). In the early 1970s, 70 per cent of American faculty members were tenured or on a tenure-track line (Schwartz 2016).

Tenure in a Neoliberal Age

By the second half of the twentieth-century, however, management theory developments presaged long term controversy about tenure’s dominance. In the late 1960s, the academic literature shifted away from extolling the professional’s special fitness to pursue the public interest. New scholarship placed a greater emphasis on how such a person’s education might leave him or her vulnerable to pursuing goals that aided the profession rather than the population at large. Mosher (1968) argued that while professionals advanced achievement in many fields, their power in public agencies made it more difficult for the government to pursue the public interest. Bledstein (1976) saw professionalization as devaluing the common sense knowledge of blue collar labor. Agnew (2004) emphasized that professionals used their educations to enhance their own reputations and incomes rather than to help society at large. Stillman (1991) argued that the professional’s technical education

introduced myopia or an inability to see the broad picture. Literature emphasizing the narrow focus of professional knowledge or the professional's self-interest undercut the argument that giving professionals the right to make decisions about their work propelled more effective service delivery. It suggested instead that somebody with broader interests needed to supervise the professionals to enhance client service.

A few scholars proposed active citizenship as a counterweight to professional power in the public sector (Schneider and Ingram 1997). But the new public management and marketization literatures proposed a different response which soon dominated public discussion: a need for management hegemony. Writers in these literatures assumed many entry-level employees, including professionals, cared more about their own personal advancement than helping clients. Responding to the critique of professionals as myopic they posited that those people who had ascended the hierarchy had a broader perspective. They advocated that only managers understood the needs of entire departments or institutions and therefore kept organizational goals in mind. Managers alone cared about the ability of the organization-as-a-whole. To actuate successful customer service the public and nonprofit sector needed to forge an entrepreneurial spirit, untie its managers' hands, and enlarge their power. In short, organizations need to hand managers the tools to manage (Osborne and Gaebler 1992, Osborne and Plastrik 2000).

In particular, managers needed the hiring flexibility common in business, a sector NPM and marketization advocates extolled for its efficiency. In the for-profit sector, managers could dismiss long time employees at will and substitute temporary or contract labor (including for professionals such as lawyers). In the public sector, proponents of this approach called for

radical civil service reform to allow managers to remove incompetent workers (Maranto 2001, Condrey and Battaglio 2007). The assumption was that managers would use their new power to remove poorly functioning employees and improve productivity.

Between the 1990s and the economic downturn of 2008, NPM had an enormous influence on federal and state decision makers. The late twentieth century federal program that best articulated this mind set was the National Performance Review (Executive Office of the President 1993). While this initiative promised to abandon all kinds of red tape in order to improve performance, critics charged that it deemphasized due process to promote managerial entrepreneurialism (Suleiman 2003, Du Gay 2000). At the state level, the neoliberal influence resulted in a majority of legislatures limiting in some way the civil service protections they had once offered public administrators (Hays and Sowa 2006).

In universities, the argument played out as a call to end tenure. Upending the Progressive reform belief that tenure advanced knowledge creation and dissemination corporatization advocates argued that it harmed both activities. In the new dispensation, professors were not considered the right people to judge which scholars a university should employ or which programs a school should offer because each teacher was likely to protect his or her own niche. Only the manager, i.e., the dean or provost, would remove people in static fields and replace them with scholars who researched vital endeavors. Thus, former University of Northern Colorado president Robert Dickeson (2010) has argued that managerial flexibility might gain from caps on the percentage of faculty who could get tenure at a given time and from post-tenure reviews.

As one critic of tenure noted, only the hierarchy could remove professors of medieval history (the deadwood) in favor of people researching information technology (Wetherbe 2013). This author gave no criteria for explaining how provosts or deans recognized medieval history as a static field. He did not discuss the problem of which qualifications enabled managers outside a given academic area to judge how that field should set research priorities. He did not examine what eliminating tenure would do to the notion of shared university governance. He presented no evidence at all of a relationship that would indisputably win his case, namely, that those universities that lack tenure such as Hampshire College or Philadelphia College of Textiles and Sciences more effectively meet student needs (Varma 2001). Wetherbe (2013) gave no evidence that postsecondary institutions with renewable contracts are more innovative in any way than their peers that retained tenure.

Despite lacuna in the argument for administrative flexibility, the neoliberal approach quickly gained adherents among university administrators whose wisdom it saluted. In effect, it said to these administrators that they alone had the perspective to maximize the university's ability to meet its goals. Although the college presidents association had supported tenure in 1922 and 1941, a recent Pew Research Center survey of university presidents found that 69 per cent favored long-term or annual contracts for the majority of their full-time faculty rather than tenure (Stripling 2011). A poll of over 1,000 provosts found that nearly two thirds of respondents preferred a system that offered professors renewable contracts (Wetherbe 2013). Further down the hierarchy, a survey of political science department chairs found that slightly over 60 per cent believed that tenure protects incompetent faculty (Rothgeb 2014).

Today 70 per cent of American university instructional staff has contracts off the tenure track while only 30 per cent are tenured or on a tenure-track line; this state of affairs reverses the status quo of the early 1970s when about 70 per cent of faculty had tenure (Schwartz 2016). As in the nineteenth century, once again the majority of instructors now function as contingent labor (Reese 2012).

Discussion

Certain management issues seem to lack historical closure; arguments persist for decades over the relative merits of centralization versus decentralization or the proper line/staff ratio. That people have debated the importance of academic tenure for over 100 years without reaching anything close to a consensus suggests that no one system optimizes productivity (however defined) in all circumstances. Managerialism's proponents argue that professors may not exert themselves in research or teaching once they achieve the security of tenure. It would be foolish to try to rebut them by arguing that no professor ever acted in this way. The counterclaim has to come from the argument that professors are not the only individuals who can act badly.

Progressive era reformers argued that given the right to fire civil servants at will managers would promote sycophants rather than those people who contributed the most to achieving the agency's goals. It would be foolish to argue that no public agency managers ever perverted their mandate this way or that academic administrators never behaved to professors in this fashion. The formation of the AAUP and its construction of university tenure policies arose from cases where specific administrators behaved in just this way. As Engvall (2010) has said about merit pay, "If those who reward you are trustworthy, independent, smart, fair-

mindful, and unbiased, then you should have no problem.” The problem arises with the inevitable manager who is not trustworthy, smart, fair-minded or unbiased.

Rather than solving the problem of control marketization shifted the locus of corruption from the professor to the managers (Lorenz 2012). In a classic instance of asking the fox to protect the hens, tenure’s opponents urged professors to rely on the good will of university administrators, particularly presidents, to protect academic freedom (e.g., Hacker and Dreifus 2010). This suggestion disregards those historical cases where administrators afforded no such protection, indeed, those cases where administrators instigated academic freedom controversies. Progressive reformers assumed that in such a situation not only did you have a problem but so did your institution. They proposed tenure as a remedy precisely for cases where the professor’s antagonist was an administrator or trustee. Tenure does not work as a protection against external threats such as legislative action abolishing a university. It only changes the outcome where administrators want to dismiss a professor for his or her views.

To forestall the problem produced by biased managers an early civil service proponent argued that “fixed rules, however imperfect, are better than arbitrary power” (Foulke 1890, p. 4). In other words, while no employment system is perfect in all circumstances, a system that enhances managerial discretion will bring greater trouble than one that fosters rule bound hiring and tenure. Given that problems are possible both in systems that exalt managerial discretion and those that have fixed hiring/retention rules Foulke unhesitatingly chose problems created by the first group of organizations as the more serious impediment for productivity. For universities tenure after a probation period was a key rule that diminished the

greater evil of biased hierarchical action. It reduced the administrator's sometimes flawed discretion.

As we have seen, university approaches to tenure do not occur in an intellectual vacuum or in response to social or economic changes in the university alone. Administrator actions in regard to tenure follow management theory of the era on the relative role that organizations should accord professional expertise. In our own era, university boards of trustees and high-level administrators will have to shift their presuppositions about the relative roles for professorial and administrator power if institutions are to stop weakening tenure protections. They will have to return to an earlier consensus that tenure produced systemic gains.

Management theories change both for intellectual and socioeconomic reasons. Acceptance of new ideas comes partly from researchers probing the inevitable conceptual inadequacies and contradictions inherent in whichever theories are popular in a given era (Barley and Kunda 1992). As we have seen, neither granting nor withholding tenure to qualified professors solves all possible problems; in individual cases, each system may have unintended consequences. The question then becomes which set of unintended consequences gets attention in a given era. Managerialist theories have focused on how to reanimate low performing tenured faculty. These neoliberal theories emphasize the need for organizations to attract and retain customers (in this case, the students) by having cutting edge curricula. Here old and new theories agree on the aim; they disagree on the vocabulary (managerialists are more likely to consider students as customers) and strategies to optimize student development. Proponents of tenure focus on the difficulty of providing a dynamic education if administrators

can remove a gifted professor with ideas that alienate some trustees; managerialists focus on the problems of educating students when particular tenured professors do little work. Policies change depending on which case seems more pernicious to the system as a whole in a particular time.

It is important to remember, however, that academic discourse develops in a given sociocultural milieu. Intellectual reasons are not the only spur for social theories to gain or lose popularity. Changing social and economic realities also prod theorists to new models and approaches. The shift from a predominantly agricultural to industrial society in the late nineteenth century propelled a need for greater technical expertise to guide industrial leaders (Ross 1991). In turn, this economic shift influenced a management theorist such as Frederick Taylor to develop an approach to solving management problems that stressed experimentation.

In similar fashion, the 2008 financial downturn and its aftermath offered organizational theorists a chance to question the assumptions of the neoliberal worldview. The 2008 financial morass disturbed assumptions about managerial hegemony in for-profit organizations. The downturn led analysts to place greater emphasis on the problems that entrepreneurial managers created both for their own organizations and for society. After the stock market crashed, more people saw the need for the government to put legal restraints on unfettered managerial action in the financial sphere. The acceptance of shareholder proxy access by at least 60 companies gave additional evidence that major shareholders no longer considered that company executives and boards always knew how to select the best slate for board of director positions. Shareholders considered that sometimes company CEOs might have an interest in putting on the board people who would help enrich the executive rather than enhance long-

term company prospects (Schachter 2014). Thus the model of unfettered CEO discretion that inspired NPM and corporatization has started to change on its home ground.

So far these financial world realities have not animated new approaches to tenure debates, but they highlight the problem of assuming managers always act in the best interests of their organizations. They suggest that a hierarchy that removes “deadwood” may only take into account short-term considerations to the detriment of meeting long-term goals. Perhaps, in the long run, universities which retain professors of medieval history benefit institutions and students if not by training undergraduates for specific jobs than in the role of developing democratic citizens. The shift to restrict tenure is a good example of what Isett (2010) has called scholarship lagging behind innovation. Such scholarship propels the institution of a given change mechanism without evidence to support its use.

Towards a More Nuanced View

From the nineteenth century to our own time, each era’s management theorists have produced their own new management insights and theories. Practicing managers subsequently appropriate many of these insights to guide for-profit businesses, government agencies, and nonprofit organizations including universities. Historically, every organizational sector has borrowed innovations first developed elsewhere. In the Progressive era, for example, for-profit business borrowed budgeting innovations developed by government agencies (Rubin 1993). Public agencies, in turn, used scientific management techniques which Taylor had first propounded in manufacturing plants.

Since the 1990s, the trajectory has been oddly one sided. Government agencies and nonprofits have been urged to adopt business practices but little, if any, literature has urged

for-profit business to learn from agencies or universities. In the tenure debate, opponents have asserted the need to adopt for-profit styles of management into discussions on whether tenure is necessary. These opponents of tenure seem to assume that business practices are superior to those practices which universities historically favored.

The time has come for proponents of tenure to question scholars who argue that for-profit practice is the template for university administration. The neoliberal view asserts that universities better serve students and research when senior administrators mimic for-profit practice by assuming greater control over faculty deployment—at least partly through abolishing tenure. Up until now proponents of tenure have countered that for profit practices will not succeed in universities because the goals of the two organizations differ. For profit companies want to make money for their owners while universities aim to discover and disseminate knowledge (Clermont and Dirksen 2016); different personnel systems forward each of these goals. However, this argument seems to concede that unfettered managerial discretion works well on its own for-profit turf. The time has come to question this assumption. Interrogating the neoliberal argument requires examining how unfettered discretion has actually worked out in the for-profit sphere. Proponents of tenure should publicize how unfettered managerial entrepreneurship has affected organizations including their long-term profits and the relative ability of whistleblowers to function within companies. Such an examination by itself is not likely to restore widespread use of tenure immediately. But it will unveil a more nuanced picture of what managerial discretion can accomplish. It will highlight corruption and discrimination problems unfettered managerial discretion promotes. A nuanced discussion should be more attuned to the real world trade-offs inherent in all personnel

systems. University administrators accepted managerialist retraction of faculty employment protection without requiring evidence that such a policy change has produced better performance in any organizational terrain. Proponents of tenure need to emphasize the need for evidence when changing policies. In this case, evidence from business should be the standard sought.

At its zenith, every organizational fad not only possesses adherents but also those devotees who cannot imagine that the world will ever return to earlier patterns. In that spirit, two academic administrators recently called the dismantling of tenure “an irreversible transformation” (Shaker and Plater 2016, p. 15). Yet, how irreversible is it? The record shows different assumptions on organizational control and decision making consistently supplanted each other throughout the twentieth century. Such succession was based partly on rhetorical limitations in any one intellectual outlook. Change also emerged in response to economic expansions and contractions in society at large (Barley and Kunda 1992). No one approach was irreversible over the entire period.

To the extent this thesis also reflects twenty-first century reality an intellectual shift in the tenure debate may come from reexamining managerial discretion in its home base-- the for-profit field. Such analysis will show limits of the neoliberal approach for understanding the consequences of unfettered discretion in the 2008 economic downturn and the impact of such consequences on economic contraction. Proponents of tenure have not yet adequately parried the weakest points of the neoliberal argument.

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